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# CRIME IN INK



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By

CLAIRE CARVALHO  
AND  
BOYDEN SPARKES



CHARLES SCRIBNER'S SONS  
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## ILLUSTRATIONS

	PAGE
Facsimiles of forged and authentic signatures of William Marsh Rice . . . . .	7
Facsimile of Molineux's signature in a letter written to Mr. Carvalho . . . . .	39
Facsimiles of the original address on the poison package, and of Molineux's writing of the same . . . . .	41
Facsimile of the bordereau . . . . .	59
Comparison of Dreyfus's writing with that of the bordereau . . . . .	72
Facsimiles of Muenter's and Holt's handwritings . . . . .	81
Facsimiles of a signature and an address written by Dr. Wilkins during his stay in Baltimore . . . . .	91
Specimen of the handwriting of Dr. Wilkins, used as a standard for comparison with the questioned will . . . . .	93
The forged marriage contract produced by Mrs. Craven . . . . .	100
Genuine and forged signatures of Senator Fair . . . . .	103
Fair's writing of his wife's name and the forgery of the same from the will . . . . .	103
The word "bequeath" from the forged will, and specimens of Fair's genuine writing used for comparison with it . . . . .	104
Genuine signatures of George P. Gordon, and the forged signature of the will . . . . .	117
Facsimile of the second Black Hand letter sent to Mrs. Forrester . . . . .	123

	PAGE
Facsimile of a Black Hand letter . . . . .	146
Black Hand letter sent to the mill of the Draper Company . . . . .	147
A fragment of "The Raven" in the handwriting of Edgar Allan Poe . . . . .	166
Facsimile of the signature of Grover Cleveland . . . . .	167
Facsimile of the signature of Theodore Roosevelt . . . . .	168
Facsimile of the signature of Woodrow Wilson . . . . .	168
A portion of one of Mr. Carvalho's work-sheets <i>Facing page</i>	182
Handwriting affected by hypnotism . . . . .	193
Inherited traits in handwriting . . . . .	213
Comparison between the wax impression of Gordon's thumb and the impression in the seal of the violated envelope . . . . .	225
Letters on the seal found in Gordon's home . . . . .	229
Minister de Lome's handwriting as shown in a letter to a friend . . . . .	256
Last page of the Canalejas letter . . . . .	257
Facsimile of two of De Lome's signatures . . . . .	260
Comparison between a true palimpsest and the Huntington manuscript . . . . .	271
A copy of the signature from the will of William Shakespeare in the British Museum . . . . .	274
Comparison of the handwriting of P. S. Ney with that of Marshal Ney . . . . .	279

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## CHAPTER I

One of the most important murders in which my father's talents were employed was the crime which is remembered as the Rice-Hendon case. Although I was a small girl at the time, I remember leaving my home-work studies to answer the telephone. It was a box-like arrangement that hung on the wall in the entrance hall too high for me to reach without standing on a chair.

"Is this David N. Carvalho's residence?" some one asked in a deep, husky voice.

"Yes. Who is this, please, that is speaking?" Father was meticulous about the manner in which any of his five children received or gave a message over the telephone.

"This is the office of the district attorney of New York County. May I speak to Mr. Carvalho?"

I called him to the telephone though I was a little afraid to disturb him at home, because, for one thing, this was an interference with his satisfaction of an extraordinary appetite for detective stories. He would read these stories in his leisure with the same passionate intensity with which he

devoted himself to the cases in which he figured as a detective-specialist. As fast as he read one story he would toss it into a waste basket and reach out his slender, artist fingers to pick up another. He read detective stories at night, but the mysteries he undertook to solve by day as a handwriting expert were so much more fascinating than those hackneyed plots that you would wonder why he found them entertaining.

Like every genius he was a compound of special talent and extraordinary singleness of purpose. If you gave him a thousand samples of handwriting and an anonymous piece of writing prepared by one of the thousand he could pick out for you the sample that matched it. Unless you knew about the decades of study, the almost incredible amount of research, the chemistry and fine measurements that entered into his work, you might have thought, after seeing such a proof of his skill, that it was the result of magic.

On that day when I called my father to the telephone there had been a big funeral in New York. A few days before (this was in September, 1900) William Marsh Rice had died in bed at 500 Madison Avenue, a fashionable section of town where he lived alone except for his valet. He was eighty-four; he had been ill; and but for one circumstance he probably would have been hustled into a grave and forgotten. The circumstance to

which I refer was his fortune. The old man in the course of a life that began in 1816 had accumulated stocks, bonds, land and other treasure worth \$6,000,000. He had accumulated also a list of distinguished acquaintances, men prominent in Wall Street, that market-place where railroads, steamship lines and factories are sold as freely as a grocer sells soap and eggs. These financiers, in double-breasted frock-coats, silk hats, shoes carefully blackened and with mutton-chop whiskers neatly combed, had said "Amen" to the minister's prayer. There was the usual sweetish odor of too many flowers.

In an expensive coffin the corpse was no longer concerned with the cause of the whispered appraisals that were one of the overtones of the service. The undertaker produced a screw driver, hissed a command to the hired pall bearers and began to secure the lid of the coffin. Outside in the street the coachman on the box of the shiny, black hearse had backed his horses until the glass doors of his grisly vehicle were open over the pavement.

There was one man in the room with the coffin who may have been impatient for the obsequies to end. He was D. A. Hendon\* who had been the lawyer of the dead man during the last feeble years. For some reason Hendon had arranged

\*A name assigned for the purpose of this account.

for cremation of the body and then had cancelled those arrangements when he was informed that it required twenty-four hours to prepare the ovens of the crematorium. It was he who had arranged for the embalming operation. It was he whose feet tapped nervously in the heavy air during the final words of the service. Mr. Hendon was eager to get to the cemetery and hear the hollow reverberation of clods falling on the heavy casket. Mr. Hendon had important business to attend to in connection with the probate of the Rice estate.

Then suddenly there was a disturbance outside in the hall. A paunchy man, red-faced and carrying a square-crowned brown derby ostentatiously on his forearm, had pushed himself into the throng that was preparing to be called to the waiting line of funeral hacks. This man flourished a paper bearing a significant red seal. He was the coroner.

The body of Mr. Rice did not go to the cemetery that day. Instead it was taken to the morgue and there was subjected to the scrutiny of doctors who cut deeply into cold tissue as they strove to discover a reason for the old man's death. At eighty-four there is normally small ground for suspicion in the death of any one, rich or poor, but following the death of Mr. Rice certain things had occurred that created deep suspicion.

Those things were explained to my father over

the telephone and as he listened you might have seen him plucking at his pointed beard. Once his imagination was gripped by such a case he never lost interest and every faculty was brought to bear on the matter presented to him.

From the very beginning the Rice murder case turned on handwriting. A check for \$25,000 was carried to the millionaire's bank by his negro valet, Charles F. Jones. The paying teller, because he knew him, would have given the cash to the man without question, but for one small error. The endorsement written on the back of the check was "Daniel A. Hendon," but the name on the payee line was written "Danel A. Hendon." There was no suspicion in the bank clerk's mind then. He was merely obeying a rule of the institution when he telephoned to Mr. Rice's residence for the purpose of inquiring if it would be all right for him to honor the slip of paper in spite of the small error. But when he aked for Mr. Rice a voice informed him that the old man had died during the night.

It must be remembered that when any citizen of this country dies all of his property automatically passes to the custody of the county surrogate until a will is probated or, in the event that there is no will, until the legal heirs have established their right to inherit. Presentation of that check for \$25,000 by a servant of the old man who certainly

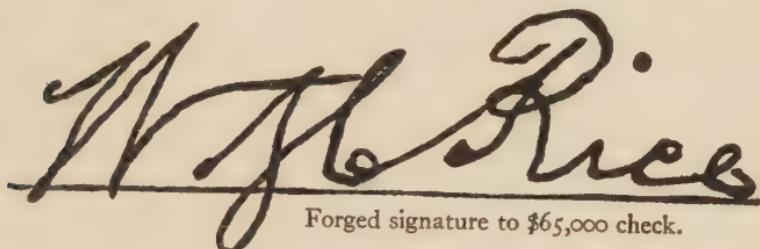
knew that his employer was dead, and on behalf of the old man's lawyer who also knew it and knew as well the legal implications of his behavior, was decidedly suspicious. An investigation began at once.

Seizure of the body of the victim was but one of a sequence of occurrences that followed in rapid succession. The result was that the district attorney's office took possession of four checks drawn against Rice funds and presented for payment on the day he died. Each check was made out to the order of Hendon. One, as I have pointed out, was for \$25,000; another on the same institution, the Fifth Avenue Trust Company, was for \$125,000; two others for \$65,000 and \$25,000 had been presented to the banking house of S. M. Swenson and Sons.

The question was—were the signatures on those checks forgeries? If they were forgeries the duty of the district attorney was plain. The four checks were turned over to my father along with signatures of the dead man concerning which there could be no question. The authentic signatures were obtained from the records of a trust company which had handled some of his affairs. Officers of the company had watched him as he wrote those signatures.

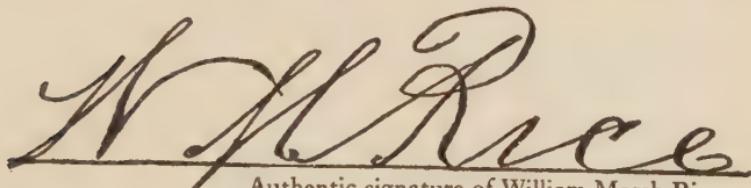
The questioned signatures on the four checks would all have been honored at the two banks and

nothing ever thought about them if Mr. Rice had been alive at the time they were presented. Even to the trained eyes of the paying tellers the name "W. M. Rice" appeared to have been written by



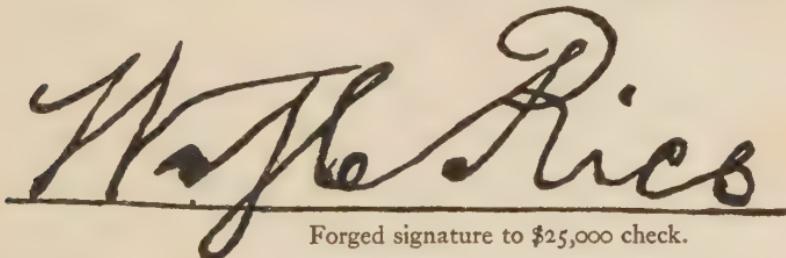
A forged signature of "W. M. Rice" in cursive script. The signature is somewhat fluid but lacks the characteristic loops and flourishes found in the authentic version. It is underlined.

Forged signature to \$65,000 check.



An authentic signature of "W. M. Rice" in cursive script. The signature is more fluid and exhibits distinct, characteristic loops and flourishes compared to the forged version. It is underlined.

Authentic signature of William Marsh Rice.



Another forged signature of "W. M. Rice" in cursive script. This version appears slightly more stylized than the first forged one, with similar but slightly different loop patterns. It is underlined.

Forged signature to \$25,000 check.

the old man. But my father was able to prove beyond question that they were forged. I shall explain farther along, in connection with another document, how he did so and why it was easy for him to convince others that he knew what he was talking about.

I am sure many persons must puzzle over the

processes by which police and prosecutors finally determine that this man or that woman should be brought to trial for some mysterious crime. In New York County in hundreds of cases my father's unique ability was employed by the district attorney as a hunter uses a bird-dog to find his game. Convictions did not always follow when my father "pointed" any more than game always falls to the gun behind the dog that points. In the Rice-Hendon case you may be sure the district attorney was not eager to bring about a trial in which he was certain to be opposed by some of the best legal talent in the country unless he was satisfied in his own heart that he had identified the criminal. As so often happened in important criminal cases, that was the function of my father in the Rice-Hendon case. He convinced the district attorney.

First there were those checks; then there was the will. When it was offered for probate there was no longer any doubt as to a motive for a crime. The autopsy had established a congested condition in the lungs of the dead man that could not be accounted for by anything that was known to have contributed to his death. It was written in his death certificate that he had died of acute indigestion. The actual cause of death remained a mystery for weeks after my father had established a motive for the killing.

The will disposed of property worth in excess of \$6,000,000 and that tremendous fortune was bequeathed to the old man's lawyer, Hendon, as trustee, except for about \$200,000 which was given to William Marsh Rice Institute in Texas. Each page of the document bore what purported to be the signature of Mr. Rice; but my father was able to prove to the satisfaction, first of the district attorney and afterward of a jury, that the signatures were forged.

"They were too good," he told me afterward. "It isn't possible for any human being—let alone a feeble old man—to write his signature exactly in the same way twice. By careful measurements and by means of photographic reproductions transferred to thin, transparent paper I was able to show that each of those four signatures was patterned like the others. The law of chance as determined by mathematical science is wholly against such an occurrence. It became obvious in the light of such a test that the four putative signatures actually were forgeries traced over a single genuine signature of the dead man."

Here was that small obstacle that seems always in one form or other to be placed by some higher power in the way of the calculating murderer. If the forger had exercised just a little of that knowledge of writing in which David Carvalho was so rich; if he had made each tracing from a

different signature, it is probable there would have been no prosecution. But my father's investigations and findings so strengthened the district attorney's beliefs that the mystery began to unfold itself swiftly.

It is reported almost every day in the newspapers that this or that unfortunate has confessed to the authorship of some horrible crime. Yesterday, perhaps, it was a young high-school boy who admitted under the pressure of awful questionings that he had strangled a girl whom he had violated; to-day it may be an old man who confesses that he slew some one while in a storm of temper. How are those confessions obtained? I do not know. I may only suppose that every advantage is taken of the prisoner to force him to confess and I know that Jones, the negro valet, confessed.

He told three stories, each differing in essentials, but all agreeing that Hendon had instigated the crime. Jones had only one weakness. It was an all-embracing one. It was his character. He was not capable of drawing up a forged will but he was thoroughly capable of assisting another to snuff out the life of a senile man. Jones first said that Hendon had killed Rice by giving him ammonia. Then he said Hendon had given the old man some gray pills. Finally he confessed that he, himself, had saturated a sponge with chloro-

form and, acting under the instructions of Hendon, had held it against Rice's mouth and nose until the skinny chest ceased to rise and fall. That was the story to which Jones stuck throughout the trial of Hendon for murder.

Nearly nineteen months after the death of Mr. Rice, the lawyer, Hendon, was convicted of murder in the first degree and sentenced to be electrocuted. Jones, the confessed killer, was never brought to trial and was permitted to return to Texas a free man except for the strictures of his own conscience. The failure to try Jones had a great deal to do with the feeling of many persons that Hendon was not guilty of murder. In the death house at Sing Sing, Hendon continued to fight for his life, using as his weapon his own knowledge of the law and the facts of the case. Finally after six years his sentence was commuted to life imprisonment, but he swore he would refuse to accept the commutation.

"I am either innocent or guilty," he proclaimed from his condemned cell. "I want death or freedom."

Eminent men, Grover Cleveland among them, signed a petition for his pardon and at last on Thanksgiving Day in 1912, tight-lipped, gray and bitter, Daniel A. Hendon was released. Governor Dix had pardoned him.

To this day there are only two men in the world

who can testify with accuracy concerning the end of old man Rice's life. Hendon would swear the old man died a natural death. The negro, Jones, probably is still inclined to stick to his story of a murder by means of chloroform. But there cannot be two opinions as to the crime that suggested that a cunning murder had been committed. There is no doubt that the checks presented at the banks after Rice's death had been forged. There is no doubt whatever that the will giving Hendon control of the estate was forged.

The Rice fortune was disposed of in accordance with a genuine will of the old man which bore a date earlier than the one which my father testified was a forgery. He did not say that Hendon traced the signatures. Hendon's contention that he had seen the old man sign the four pages of the will seemed in the minds of the jury to link him with the preparation of that counterfeit document. If it was forged who else would have forged it?

Instead of going to Hendon the money went to the Rice Institute of Technology, a free school in Houston, Texas, that stands to-day as a monument to the beneficence of old man Rice. After Hendon was pardoned he returned to New York and at the office of his attorney gave an interview to a group of reporters in which he asserted that he was going to renew his fight for the recognition of his rights as Rice's legatee. He did not pursue

that intention very far, however, but went instead into the West where he began to rebuild his life. It is gratifying to report that his career since that time has justified the confidence of those kinsmen and friends who worked so hard to save him from the electric chair and restore his freedom.

## CHAPTER II

My father's constant association with the problems of proof worked curious changes in his character. As a young man he went to South America. His ancestry was Portuguese and in Brazil he found a sympathetic background for every one of his artistic tendencies. Then he wore a tender little moustache and on the curve of his chin, just under his lower lip, a tiny tuft of black beard. His disposition was romantic anyway, and when he returned from South America his friends saw him in a black cloak like those that are worn in Spain and Portugal and in countries influenced by them. Those black cloaks are comfortable garments for a young man who comes to court some señorita imprisoned by watchful parents behind an iron grille. In such a cape he may keep warm and play a guitar or in other ways entertain the young lady he may not touch. A *Don Juan*, my father's friends said of him when he returned to the United States; but if he was, he had a complete recovery except for a certain careless elegance. He worshipped my mother, who died when I was a small girl, but after her death he would

not have a woman around his house other than his daughters.

We needed a housekeeper but Father would not have a woman for such a position. He felt that a woman might betray him in some way to the enemies he made in the practice of his profession. Instead he had a Jap or a Chinaman to look after his household. He loved flowers and perfumes, but the longer he lived the less he wished to have women about him. He detested any sort of indirection. If he asked you what time you had returned from a dance and you said "about eleven" when actually it had been fifteen minutes past eleven he would go into a rage. Probably he had been lying awake watching the clock when you returned. He was intolerant of the harmless little inaccuracies with which women characteristically smooth their lives.

I am sure there was a yearning for feminine society threatening at all times to upset the regime of his life; yet he never gave way to it. His passion for hunting criminals by means of their pen tracks as a woodsman follows the footprints of the game he chases compelled him to sacrifice his desires. He became a sort of monk dedicated to Justice. Ancient manuscripts, microscopes, the apparatus of a chemist's laboratory held him in thraldom. He never escaped, working up to the week of his death.

Occasionally during his career, however, his work gave him an opportunity to play Sir Galahad. When a woman had been a victim of a crime he worked with that furious intensity which genius requires for the production of its finest work.

About ten years after the Rice-Hendon case, there was an instance of this in the mysterious disappearance of a pretty young stenographer named Ruth Wheeler. Ruth was barely fifteen when she completed a course at a business college and set out to find work. With two sisters and her mother she had been living in an apartment in Manhattan. One night she failed to return home.

Half mad with anxiety, the mother and sisters remembered that Ruth had gone in search of work to an address given on a postal card received after she had replied to a "blind" advertisement in the help-wanted columns of a New York newspaper. The eldest sister found the card lying on a dresser and went to the address it bore, near the river in East Seventy-fifth Street.

A surly young man there named Wolter, Albert Wolter, assured her he did not know anything about her sister. He was about eighteen, heavy-featured and with a stolid gaze. The terrified young woman wished to enter his apartment to see for herself if it bore any traces of Ruth's presence. Some insistent urge born of her sharpened intuition kept her there cross-examining the heavy-

shouldered youth in spite of personal fears. It was dark in the tenement hallway. All she could really see was the man's scowl and his enormous hands. Finally she left and went to a police station. Escorted by bluecoats she returned and this time was admitted.

A search of the squalid rooms revealed nothing to justify further action, but the insistence of the mother and sisters kept the investigation alive, kept it centred on the German immigrant youth Wolter. The result was a much more thorough search of the building. On a fire escape the detectives found a bulky sack which stiffly resisted their prodding. One of them tore open the top, drew down the folds of jute and suddenly began to swear and cry simultaneously. The sack contained a girl's body, burned beyond recognition. It was the corpse of Ruth Wheeler.

Wolter was arrested, of course, but juries are stubborn about convicting in murder cases when the only evidence is circumstantial, unless that evidence is quite tangible. It developed through the testimony of the owner of a small hardware store that Wolter had bought several gallons of kerosene the day Ruth disappeared. Another storekeeper of that shabby East Side community remembered selling him a can of red paint. He had painted his fireplace. Chemists made many tests to determine what had been burning in the small pot-

bellied stove in his apartment. Everything pointed to Wolter, but the evidence that sent him to the electric chair was that given by my father.

The postal card to which I referred, the one that had lured Ruth Wheeler to that trap horribly baited with an offer of a secretarial position, was signed "C. Walker." There was also a memorandum book in which the police found an entry reading "Ruth Amos Wheeler—lives at home—mother living."

In olden times suspected men were tried by ordeal. They were required to plunge their arm into fire or boiling water. If unscathed by this test they went free. None ever escaped, of course, except through the connivance of those conducting the trial. Wolter's examination was a trial by ordeal, too, as you might have thought if you had seen him writing under compulsion. My father, needing standards of comparison, requested samples of the youth's handwriting. Wolter was required to write at the dictation of a detective. So that he could not alter his normal manner of writing he was required to scribble at length until it was certain that out of sheer boredom he was writing in his accustomed fashion. At length my father had sufficient material for his purpose.

Photographs of the postal card and of the girl's name in the memorandum book were enlarged until they were about eight times the size

of the original. Similarly enlarged photographs were made of the standards. When these were compared there was no doubt in the mind of David N. Carvalho that Wolter had written the postal card and the memorandum entry, but it was necessary also to convince a jury that his findings were based on something which they could comprehend.

Father often used to say to me that the most damning evidence that appears in court is the silent evidence of things. A postal card, a telegram, a letter, these are more formidable than the testimony of the most convincing words of a straightforward witness. In the Wolter case the jury were shown by Father just how he had arrived at his conclusion.

They were shown curious little pathways that Wolter's pen took habitually; in this case alien characteristics due to the fact that the murderer had first accustomed his writing muscles to German script. Traces of that manner were in everything that he wrote, marking his penmanship for the expert as the garment you wear is marked for the nose of a bloodhound.

"In determining the evidence of identity," my father told me at the breakfast table on the morning that Wolter was taken to Sing Sing to be electrocuted, "the force of the evidence depends upon numerous coincidences, not upon one. I'll show you."

Reaching for the sugar bowl he extracted two cubes and then marked them with a lead pencil as dice are marked. Then he threw the dice.

“Double sixes,” he called. “Now, suppose I should throw double sixes thirty times in succession. What would you suppose? That the dice were loaded. That inference would be founded on the fact that such a happening could not possibly be accounted for by chance.”

He continued to play with the dice as he talked, interrupting himself as the combinations appeared.

“Now when you examine a piece of writing and discover a certain characteristic recurring, a characteristic which reflects a habit not necessarily dependent on the mode of forming the letters, you have something tangible to link that writing with all other writing produced by the same hand and brain. Suppose there are ten such characteristic habits revealed in the writing of a man like Wolter. Of these the very first is likely to be so rare that it will probably be difficult to find a parallel. But even if such a parallel is found the point will arise whether such a habit is found in conjunction with the second habit. After you have begun to consider all ten of the revealed habits you will realize that any likelihood of two persons possessing all of those habits is outside the bounds of mathematical probabilities. The things that I look for and find in a piece of disputed writing are

not the sort of thing that enables you to recognize, or to think you recognize, in the morning mail a letter from one of your sisters or one of your brothers. We are all able to recognize the undisguised handwriting of a friend just as we would recognize that friend if we met him in his usual dress. But the tests that I have to use must reveal more than the surface characteristics. By enlarging the specimens I examine, what do you suppose I accomplish?"

"What?" I invited. You had to feed him responses like that or he gained the notion you were not listening, or, worse, that you were not interested.

"Well," he resumed, "glance at a map of the Pacific ocean. What do you see? A lot of fly specks that represent islands. To a man on Mars looking down upon the earth through the barrel of a telescope those islands would be no more than fly specks; but if he should approach the earth each speck, we know, would assume a distinctive shape. The closer he came and the more he studied each island, the more differences he would be able to distinguish. So it is with handwriting or anything else that is fashioned by men or gods. There are no two absolutely alike. That is what ruined Hendon. Successive signatures of a feeble old man like Rice would vary considerably under a magnifying glass. It would be as silly to expect

a pen in a senile hand to follow the same path as it would be to expect the Ohio river and the Missouri river to carve precisely the same kind of a channel to the ocean. That's what a signature is, a dried river of ink."

## CHAPTER III

The disposition of many persons to believe that they can "recognize" the handwriting of persons with whom they are familiar should not be permitted, my father felt, to count either for or against a person on trial for murder. Sometimes, most times, in fact, they overlook things that are apparent only when seen under the understanding eyes of the expert.

There had been a murder trial down in South Carolina. A man named Hoyt Hayes had been convicted of killing his wife. He was a farmer living in the foothills of the Blue Ridge Mountains.

Early one Sunday morning in the month of April a Mr. Blair was aroused by Chester Hayes, his neighbor. The man was excited and hastily explained that his sister-in-law, wife of his brother, Hoyt Hayes, had killed herself a short while before. Mr. Blair at once joined Chester Hayes and the two started for the home of Hoyt Hayes, half a mile distant. As they hurried along Chester hastily explained that Hoyt, after reporting the tragic occurrence to him, had hurried back to the side of his dead wife.

Afterward at the trial of Hoyt Hayes, as a wit-

ness for the state, Mr. Blair recalled the events of the morning. The interpretation of what he saw and heard must have had great weight in fixing the conviction that seized hold of the minds of the South Carolina hill people. It was his recollection that Hoyt Hayes was seated on the porch of his house as the two who had come to comfort him arrived. Hoyt, he said, invited him into the front room and asked him to be seated.

Mr. Blair was about to lower himself into a chair, he testified, when Hoyt directed his attention to a small paper-backed book which was lying on the seat. Mr. Blair in shifting the book dropped it to the floor and a piece of paper fell out of it, and then, according to Mr. Blair, Hoyt exclaimed: "There is a note; what is it?"

As Mr. Blair told of this incident Hoyt Hayes appeared to have behaved as clumsily as a bashful actor in a charade. The impression created by his testimony was that Hoyt Hayes had known that the note was lying in the chair and wished for reasons of his own to have Mr. Blair discover it. Chester Hayes, however, testified that it was he and not his brother who had called attention to the piece of paper on the floor.

The note read as follows: "Lulu: I am treated well by Hoyt, but I had rather die than bear the pain and sickness of motherhood. Therefore I write to let you know I did it."

In the bedroom of the house was the body of Mrs. Hayes. From the appearance of her body it seemed that she might have lain down, placed the muzzle of a shotgun under her jaw and then pushed the trigger with her toe. There was only one disquieting fact to interfere with the acceptance of this theory: the gun was some distance from the body. The shattered head of the dead woman was mute evidence that she could not have moved a finger after the explosion that had blasted her out of existence.

Some one of the officious neighbors who had crowded into the house had reminded every one there that it was the law that nothing should be touched until the arrival of the coroner and Hoyt Hayes, foolishly, stubbornly, said he had touched nothing. Consequently it was regarded as just another link in the chain of evidence against him that he should say later that he had lied about this because he was frightened; and that actually he had moved the shotgun when he first discovered what had happened. His story was straightforward and except for this one circumstance was repeated on the witness stand as he had told it to Mr. Blair on that awful Sunday morning.

He said his wife had been depressed for several weeks. She was going to have a baby and this had made her sick with fear and worry. She was frequently nauseated. About four o'clock that

Sunday morning they had been awakened by the bellowing of their cow. They had gotten up and his wife had offered to go to the stable with him, but Hoyt said he had insisted she should not do this. He entered the stable, looked after the cow and was engaged in giving corn and fodder to his mule when he heard a dead, heavy sound from the house. "I knew," he testified, "that it didn't sound like it was distinct enough for a gun and I went to the house and opened the door."

The state introduced that note as a piece of evidence against Hoyt Hayes, but offered no testimony to show that he might have written it. The defense put three bankers on the stand, each of whom testified that the note was in the handwriting of the dead woman. They had examined specimens of the writing of both Mr. and Mrs. Hayes. The jurors also examined the note and the standards of comparison and reached a contrary conclusion. They decided that Hoyt Hayes had written the note and they convicted him.

A quarter of a century after the people of South Carolina had been in a passion about the supposed crime of Hoyt Hayes the man who had been governor at the time, D. C. Heywood, wrote of the affair for *The State*, of Columbia, South Carolina, one of the leading newspapers of the South. Even after so many years, carefully balanced phrases were used by the governor to show that he felt

there was nothing monstrous in the attitude of the people who believed Hoyt Hayes guilty. There had been flaws in their logic, perhaps, but there was a warm, understandable human sympathy for the dead woman and her unborn child in that rage which demanded the death penalty for her supposed murderer. Hoyt Hayes was fortunate, indeed, that the governor to whom his attorneys appealed was one with such a fine sense of justice and so much courage as D. C. Heywood.

The supreme court had overruled the appeal of the condemned man and he was well-nigh without hope when a petition for pardon was sent to the governor.

Following a custom of the executive office this petition was forwarded to the prosecuting attorney and the judge. When it was again on the desk of the governor Hoyt Hayes might well have been utterly hopeless. Both had recommended that the sentence of death be fulfilled. They believed the note was a forgery and Hoyt Hayes a murderer.

What follows is an account in the words of former Governor Heywood of the steps which led to the employment of my father's skill as an instrument of justice in this affair.

"Shortly after the return of the petition," wrote Mr. Heywood, "two of the attorneys for Hayes, J. W. Shelor and J. P. Carey, called at the governor's office to discuss the case with me and to

urge that a pardon be granted. They were somewhat surprised, I think, to find that I was fairly well posted on all the testimony, and when they were leaving the office, I recall very distinctly I asked them this question:

“‘Gentlemen, will you concede that the hand that wrote the note committed the deed?’

“They promptly replied that they would, and then I declared:

“‘All right, I will find out who it was that wrote the note.’

“I am quite sure that had I asked the same question of the state’s attorneys, I should have received the same reply.

“It was quite evident to me from the reply of Hoyt Hayes’s attorneys to my question that they believed with me that the note signed by Mrs. Hayes was the crux of the whole case against her husband, and I realized that in undertaking to ascertain definitely its author—a human life being at stake—I was assuming a great responsibility, and hence I decided to employ one of the best known handwriting experts in this country.

“After making considerable inquiry, I selected David N. Carvalho of New York, whose reputation was worldwide, especially since his connection with the famous case of Captain Dreyfus in France. I sent to Mr. Carvalho a copy of the testimony, in order that he might realize how

much depended upon his decision, and asked what his charge would be for determining whether or not the note was a forgery. In reply he wrote me a very nice letter, in which he said that his father had been born in Charleston and he therefore felt an interest in South Carolina; that the case of Hoyt Hayes, from his reading of the testimony, was a most interesting one, and that, if I could send him the note in question as well as specimens of the admitted handwriting of Hayes and his wife, there would be no charge. These I had already procured and I immediately sent them to Mr. Carvalho.

"Before sending the writings to Mr. Carvalho, however, I had shown them to a number of friends in whose judgment I had confidence, and I had come to the conclusion, if Mr. Carvalho's opinion agreed with that of a large majority of those to whom I had shown the writings, with that of the handwriting experts who had testified at the trial, and with my own opinion that the handwriting in the note was the handwriting of Mrs. Hayes, that, despite public opinion and the demands of some of the newspapers, Hoyt Hayes should not be hanged. Naturally I awaited anxiously the decision of Mr. Carvalho.

"The day of the execution was drawing near and nothing had been heard from him. About five days before Hayes was to be executed, I wired

Mr. Carvalho, explaining the situation, and I recall as distinctly as if it were yesterday his reply:

“Note unquestionably written by woman, opinion mailed you to-day.”

“That night I called up Sheriff Moss of Oconee county and told him I had decided to commute Hoyt Hayes’s sentence to life imprisonment and for him to bring Hayes to Columbia immediately.”

The governor had saved the man’s life but time had to elapse before he dared—because of the inflamed feeling against Hayes—to pardon him. Eventually he submitted the same proofs that Father had studied to another handwriting expert, Albert S. Osborn, who confirmed the Carvalho opinion and Hoyt Hayes was given his freedom. He died about two years ago in Kalamazoo, Michigan, where he had gone soon after his pardon.

My father, in discussing this case with me one time, said that he believed that the jury that convicted Hoyt Hayes had persuaded themselves he was guilty because of a surface similarity in the writing of man and wife.

“How do you account for that?” I asked him.

“Simple enough,” he replied. “Hoyt Hayes and his wife had attended the same school and had been taught to form their letters by the same teacher. The similarity would not have fooled any expert but it might easily have fooled a layman.”

## CHAPTER IV

A murder in which Father's skill was employed to controvert the identification of handwriting by laymen was in the *cause célèbre* that is remembered as the Molineux case. In this affair bank tellers were shown to have been mistaken when they testified that a vital bit of handwriting had been done by a customer of the bank. They should have known; but they were mistaken.

One morning in December, 1898, an excited man rushed into a drugstore and shouted for the proprietor to give him some remedy to relieve the distress of a woman who had been poisoned.

"Call a doctor," ordered the druggist.

"I have," said the man. "Let me have something while we are waiting for him to arrive."

The druggist produced a bottle of aromatic spirits of ammonia and with this the frantic visitor dashed across the street. His trouble was wasted effort, though, because the woman died. She was Mrs. Katherine J. Adams, an obscure person among the millions in New York. The man who had sought a remedy for her illness was a close friend of the woman's daughter. They all lived together in the same apartment. The man was Harry Cornish, an employee of the Knicker-

bocker Athletic Club. He was a blustering person but the house committee of the club regarded him as valuable and kept him on the payroll at \$2,400 a year.

There was an investigation by the coroner of the death of Mrs. Adams at which it developed that Cornish had given her a glass of effervescent salts in water when she had awokened and complained of a headache. He had mixed the draft, he testified, from a bottle of bromo-seltzer that had been sent to him through the mail. He had supposed, he said, it was from some friend because it was enclosed in a Tiffany box and reposed in a filigree silver bottle holder.

An amazing fact developed by the coroner's investigation was the character of the poison. Cunningly mixed in with the white bromo-seltzer powder was a quantity of cyanide of mercury. This is a deadly compound of two substances, prussic acid and mercury. In a solution of effervescent salts it had formed hydrocyanic gas. The veterinary who calls to dispose of your ailing pet is likely to administer this lethal dose. The scientific destroyer of vermin who plies his trade in warehouses and ships is apt to use it also as the most effective agent for the blotting out of parasitic life—rats, mice, insects. People generally, as one result of the World War, have nowadays a better understanding of the killing power of some

of the gaseous vapors that chemists know how to generate. In the year of the Spanish-American War, however, such knowledge was the property of comparatively few individuals. Our civilization in that day did not hinge to such a great extent upon the work of chemists. Chemists were rarely encountered.

Naturally Cornish himself was subject to suspicion; so were other persons who lived in the house with the dead woman. The police were insistent in their inquiry and even before the coroner's inquest had learned from Cornish that he had in New York at least one man whom he regarded as an enemy. That man was socially prominent in New York. He had been a member of the athletic club in which Cornish was a servant.

The man had resigned from the club after failing in an effort to have the club authorities dismiss Cornish. The climax of that situation was a meeting in the club between Cornish and Molineux. The club servant, aware that the club officials had upheld him, had sneered at the society man.

"Well, you ——," he had said, "you didn't do it, did you?"

It was a fighting word he used, but the club-man swallowed the word without fighting.

"No," he had replied, flushing crimson, "you win."

The man was Roland B. Molineux. Over in Newark, N. J., he was interested in a color-manufacturing concern. In the laboratory there as in the laboratory of any color-making plant were abundant supplies of the killing poisons that had been administered to Mrs. Adams. No one ever suggested that Molineux had anything against Mrs. Adams. It was not even contended that he knew her; but dramatically, at the close of the coroner's inquest, Molineux was arrested and charged with the murder.

The district attorney presented the case to the grand jury and the society man was indicted. It seemed clear in the minds of the prosecuting authorities that the poison had been intended for Cornish and that chance had governed the mean circumstances that resulted in the death of the mother of his woman friend.

It was nearly a year after the death of Mrs. Adams before Molineux was brought to trial. In February, 1900, he was found guilty, sentenced to be electrocuted and sent to the death house at Sing Sing. The result of the trial was a great shock to the Molineux family and to their friends among whom were included some of the most prominent in New York society.

Molineux had been so confident of acquittal in a case that turned on circumstantial evidence that no defense had been offered. Perhaps his counsel

had overlooked the influence on the minds of the jurors of certain facts that had been established about Molineux.

For one thing, women had governed his existence in ways that must have aroused feelings of tribal jealousy among the males in the jury box. At the age of fifteen this heir of an honored family had been sent out West to escape the ignominy of being named in a divorce suit brought by an older friend of his against a wife who had found romance in the arms of the fifteen-year-old boy. In fairness to him, it should be said that in such an affair the woman must have been the aggressor. If he was charged with being a poisoner, certainly it was a more subtle poison that was used against him at his trial.

Eight days after the death of another friend, it was brought out at that first trial, Molineux had presented his friend's widow with an engagement ring and very soon after that they were married. A man who would do that, the jury was invited to believe, might be guilty of anything.

For nearly two years Molineux was kept in the death house at Sing Sing. Then the untiring efforts of his father, the General, resulted in the granting of a new trial. By that time the entire country was conversant with the drama. People who wore well tailored clothing, boasted of good blood and connections were rather generally con-

vinced of Molineux's innocence. The men and women in tenement flats, those who gossiped over saloon bars and took their ease in their socks and shirt-sleeves were very apt to say he was guilty.

At the time of the second trial my father had been associated with the office of the New York District Attorney for more than eighteen years, but he was not associated with the prosecution of Molineux, a prosecution that hinged on the identification of the person who had written the name and address of Harry Cornish on the package containing the vial of poison. My father was not associated with the prosecution because he had become convinced that Roland Molineux was not guilty.

The entrance of David N. Carvalho into that case was somewhat more dramatic than the prosecution desired, but it was the fault of Assistant District Attorney Osborne. Long afterward Mr. Osborne relied on my father to save him from the humiliating consequences of a curious case of mistaken identity. A woman said he had been her lover. My father proved by handwriting on hotel registers that she lied—or was mistaken. However, that was still to happen when Mr. Osborne was cross-examining young Molineux testifying in his own defense.

There are grim pictures on the walls of the court of justice in which most of New York's

notable murder trials have been held. They are murals painted there in the days of his youth by an old artist named Edward Simmons. The one behind the bench of the judge shows Blind Justice holding her scales. Below her sit the three Fates, one a grim old hag snipping with her cruel shears at the skein of life spun by her sisters. On the hem of her gown rests a grinning skull. It is horrible, but so is justice horrible when it is blind.

From yellowed papers in my father's files I have taken the record of some of the examination in that case.

Osborne was heckling the prisoner-witness to the best of his ability, which was considerable. How, he was asking, had the defense acquired the services of the handwriting expert who had testified so many years for the district attorney? It was well known at that time that my father would refuse to testify unless he was deeply persuaded of the facts which he offered.

"Mr. Carvalho came to my lawyer's office," said Molineux.

"Well," continued Osborne acidly, "tell us what he said."

That was a blunder.

"He said," replied the prisoner, "that if he came to the conclusion that I had written the compromising paper he would at once inform the district attorney and deliver me up."

That was something the district attorney dared not attack. It was devastating. The audience stirred on its chairs. There was a mysterious girl in red whose daily presence at the trial, often chaperoned by an equally mysterious woman in black, was attributed by the reporters to a sentimental interest in the prisoner. There was another daily attendant who came in a flaring skirt of robin's egg blue and an enormous hat. The windows were kept tightly shut. The atmosphere was heavy with the poison of air robbed of its oxygen. Feeble electric light bulbs made a spotty glow in the court room that was not so yellow as the journalists who scribbled furiously after every question and every reply. Whatever was said in that trial was news both here and abroad. Then my father took the stand.

He told, under the direct examination of former Governor Black of New York, chief of the Molineux counsel, how he had been given a key to the prisoner's desk in the Newark color factory with permission to take any examples of his handwriting that interested him. He told how he had selected letters, checks and written memoranda until he had a thick bundle that gave him the basis for an honest study of Molineux's normal writing.

Then in crisp statements he told why he had decided that Roland B. Molineux was incapable of having written the address on the poison package.

"First," he testified, "no man is able to write better than he knows how.

"Secondly, no one is able to write in a disguised hand as well as he can write in his natural hand.

*With many kind regards  
faithfully yours  
Roland Molineux*

Facsimile of Molineux's signature in a letter to Mr. Carvalho.

"Thirdly, if the disputed writing was made by Molineux he wrote it better and more legibly than when the writing was in his natural hand. It is impossible that he should have done this.

"These writings do not comport with one another," he went on and indicated for the jury's benefit a sheaf of writing in the hand of Molineux. Some of that writing had been done in the court room under the eyes of the jurors. They were impressed.

"The writing on the poison package," he testified, "shows a recurrence of conventional forms and the angles and relations of the letters to the base line show an amount of harmony which leads me to the conclusion that the writer (who was the murderer) was not disguising his normal hand.

"Usually Molineux writes rapidly and fluently. He uses a long pen and a great deal of wrist move-

ment. His capital letters in some instances are abnormally large and then as the pen moves toward the end of a word the hand is not pushed forward (correspondingly) and therefore the smaller letters diminish rapidly toward the end."

With suggestions from the prosecutor that there was a marked resemblance between the admittedly genuine handwriting of Molineux and certain false letters to which had been signed the name of Cornish, my father was quite impatient.

"It is impossible," he said, "for any man to write better than he knows how to write. It is impossible for him to write in a disguised hand better than in his own hand. The disguised handwritings here are more fluent and better than Mr. Molineux's own handwriting and this does not contain the peculiarities of his chirography; so, therefore, I can say that they are not written by him and do not match his writing. The more you compare them the more they separate. Every disguised handwriting must be possessed of evidences that the writer is trying to hide himself away and in spite of the effort he will betray himself by his peculiarities. He is going through unknown land and he must stumble somewhere in the unfamiliar places."

Then, once more the jurors were permitted to examine the natural writing of Molineux and the treacherous bit of writing that was a certain sou-

Mr Harry Cornish  
Knickerbocker Athletic Club  
Madison Ave and Twenty-fifth St  
New York City

Facsimile of Molineux's writing of the poison-package address, written at the request of the  
New York authorities.

Mr Harry Cornish.

Knickerbocker Athletic Club

Madison Ave and Twenty-fifth St  
New York City

Facsimile of the original writing on the poison-package  
received by Cornish.

venir of the poisoner. They brought in their verdict within the space of a few minutes after they left the jury box. Their verdict was, "Not Guilty." After four years the society man was free, but he did not live long. The death house is literally that. Even those who leave it alive are forever stricken with its taint of killing fear.

Molineux's wife divorced him; then he remarried and gained some further attention from the newspapers as a writer of plays. But something had happened to his mind during those years of strain. Finally it became necessary to send him to an insane asylum where he died. The guilty person never was identified. As for Cornish, there is not much to be said because he dropped out of the ken of newspapers when the Molineux case ceased to be news.

"What was behind it all?" I asked Father one time. "What about Cornish?"

"Well," he replied, "the curious thing about that case to me was that the handwriting on the poison package in its general characteristics resembled the normal handwriting of Cornish almost as much as it did that of Molineux, but I am as positive that Cornish did not address the package as I am that Molineux did not. There were many shadowy figures involved in that business. This man Cornish had other enemies, of that I am certain. He was the kind of man who makes

enemies easily. Our system of catching criminals is less satisfactory in its results than in its humanitarianism. The ancient Egyptians were better qualified. A suspected culprit was given a severe examination in their times. Usually they began by beating him on the palms of his hands and the soles of his feet with a double rod until he was in a mood to tell anything, sacrifice his loot or even his head to escape the agony of the bastinade.

"The bastinade might have revealed the identity of the murderer in this case, but it would have been necessary to inflict punishment on several innocent persons before the guilty one would have been disclosed. That is the trouble with the torture method.

"In this case we were able to discover that the idea of murder had been dominating the mind of some one in the Knickerbocker Athletic Club for more than eight months before the death of Mrs. Adams. There were a group of people there—club employees, some of them—who in a less civilized day would have been beaten and tortured until our curiosity had been satisfied with the discovery of the criminal's identity. It would not have been necessary to be so crude as to ask any one to confess that he had sent a package of poison to Cornish. Not at all. I, for example, would merely have wished to know who had written a certain letter to a firm of manufacturing chemists, Kut-

now Brothers. I had been shown at police headquarters some of the exhibits in the case but had not been asked to proceed. Then, one day, Captain McClusky of the police department sent to my office all the specimens of handwriting which his men had collected in the course of their investigation. There was one letter in the collection which excited me. When I think about it I still grow eager for the chase. That letter had about it the smell of the murder.

“This letter was addressed to Kutnow Brothers and read—I can repeat it even now—‘Gentlemen: Please send me a sample of salts to 1620 Broadway. Yours, etc.’

“When I first saw it the signature was missing. It had been torn away from the bottom of the paper. I immediately began comparing it with my photograph of the address on the wrapper of the poison package. The moment I got a good look at the Kutnow letter I was struck with the rhythm in the handwriting. I knew that I had made a find.

“A short while later I was hurrying to police headquarters. I wanted, ardently, to lay that Kutnow letter beside the original address of the poisoned bottle of bromo. As I entered Captain McClusky’s office I told him what I had come for. I did not have to look twice.

“‘Captain,’ I said, ‘the writer of the letter to

the Kutnow firm and the writer of the address on the wrapper of the poisoned bromo sent to Cornish are the same individual.'

"‘Do you feel sure of that?’ challenged the captain.

“‘I am positive,’ I told him. Then he asked me to give him my reasons and together we studied the two bits of writing under a magnifying glass. We went along line by line and I lectured and expounded all the while. Then, finally, Captain Mc-Clusky said: ‘I am satisfied, and now I am going to give you a surprise. I am going to show you the signature that was attached to this Kutnow letter.’ Reaching into a drawer of his desk he hauled forth a ragged piece of paper, the uneven edge of which matched the uneven edge of the letter. It bore the name, ‘H. Cornish.’

“Well, eventually we had a collection of letters all written by the same hand, to some of which were attached the name of Cornish, to others the name of Barnet. I knew to my own satisfaction that Cornish had not written any of these letters. But what about Barnet? I quickly discovered that Barnet had died before the last of these letters had been written. All together the letters covered a period of about eight months and all were pieces of one pattern, a dreadful pattern designed to enable a murderous individual to cover in advance the tracks that might otherwise betray him. It

wasn't Cornish. It wasn't Barnet. Barnet was dead, of diphtheria.

"Here, I think, was where the authorities went off the track. Molineux who, we knew, had good reason to hate Cornish, had revealed a strong attachment for Barnet's wife within eight days after that gentleman had died, by placing on her hand an engagement ring. We are horrified by the Hindu practice called suttee, the burning of a widow on the funeral pyre of her husband, but there was a kind of qualified approval of suttee, as a doctrine, in the attitude of some of the investigators who assumed at once that a man who would talk of marriage to a widow so soon after the death of her husband, would be likely to commit a murder, or to do anything else outrageous. Molineux, who had been regarded as Barnet's friend, had become engaged to Mrs. Barnet. Some of the policemen and some of those in the district attorney's office then began jumping to conclusions. To themselves they said: 'Molineux hates Cornish and he was in love with Barnet's wife. Probably he hated Barnet. Maybe he poisoned him. He must have been the one who tried to poison Cornish. He could have gotten the poison any time he had the need of it.'

"That, briefly, is the way Molineux came to be indicted and placed on trial, and with all their effort focussed on him the real murderer escaped

the electric chair. If it had happened in Egypt, though, a few people would have been whipped on the soles of their feet and, supposing I had been there, I could tell you who it was tried to murder Harry Cornish and killed instead a poor old woman named Kate Adams. But it isn't Egypt we are talking of, but New York; and not the bastinade, but handwriting and so your curiosity will have to go on devouring you. I'll tell you this much, however, and that is that the Molineux case is just one more example of the falsity of that adage that 'murder will out.' Much as you might like to believe that is so, you cannot. But do not get the idea that any murderer goes unwhipped of justice because of that. There is God's justice; there is conscience. I think it must be more terrible to live with a guilty conscience than it is to die in the electric chair."

I have at home a pleasant souvenir of the Molineux trial. It is a book of poetry, the gift of General Molineux to the little daughter of the man he felt had saved the life of his son. In it he had written,

"To my young friend of the House of Carvalho—

Claire by name in remembrance of the  
Many Happy hours spent under her father's  
Hospitable roof, where Claire fluttered from

Game to book, from book to play like the  
Dear little butterfly she is.  
May the Almighty God, Bless that household."

You may gather from that bit of testimony that we children of David Carvalho were not oppressed by the terrible dramas into which he intruded.

## CHAPTER V

It was an ambition of my father to be as nearly as possible a perfect witness. It was a fetich, that ambition of his. When he entered a hotel that was strange to him you might see his lips move as he mounted the steps to the lobby. He was counting those steps! If any cross-examiner ever challenged him for proof that he had been in that hotel he would be ready for him.

On the day that he was drawn into the Dreyfus case I had gone with him into town. It must have been on a Saturday because that was the day of the week that I customarily was taken to his office as a treat. I was such a little girl that when he counted the steps as we left the railroad I counted them with him as a game. Perhaps I clutched his gracefully formed hand a little tighter because of it. He was a companion as well as a guardian. That day I was to get a new hat.

With five children to dress, my mother had complained of the difficulty she had been having in finding something suitable for me to wear at the price she felt she could afford. With a grand gesture he declared that was nonsense; all that was necessary was to go to the right kind of a shop. So, we started.

In New York he made his way to a French millinery establishment which I remember as a very swanky shop. The French woman in charge exclaimed, "Oh, la, la," and raved over his exquisite taste until the poor man was persuaded into paying an extravagant \$15 for a big, floppy red hat for a little girl who was much too small to wear it. We were both proud, though, and when we left the milliner's place it seemed necessary to celebrate in some way, so that we went at once to a French restaurant which he sometimes patronized. Where else when Claire was wearing a fine French hat?

The restaurant was as much a bit of France as the Rue de la Paix. The patrons who stepped within its doors by that action repatriated themselves for the space of their meal time. They became a part of the Gallic activity that defends frontiers in Europe, in Africa, in the Caribbean and in Guinea. New York's steel clamor was held back by the turnstile door, as the sea is held back by the shore of a rugged island. Who that knows its restaurants needs a magic carpet in New York? Pass through a doorway and you may enter Moscow; enter another and you may dine on lamb and honey and crisp wheat pastries made according to recipes of the tent dwelling nomads of Araby. So, for the duration of our luncheon were we visitors in France; aye, in Paris.

My father's carefully groomed beard was only one mark of his careful dressing. His shoes were twin, black mirrors. His wide-brimmed felt was too carefully set to be called a slouch hat and his cravat represented many minutes of careful adjustment. A final fixation of its form was gained by thrusting a pin through the folds where it might not be seen. Head waiters, even when they did not know who he was, brushed subordinates out of their way in order to be the first to bow him into a chair.

On this day—it was nearing Christmas in 1896—we were waiting for the meal he had ordered when my father picked up a French newspaper that had been left in the chair beside him by one of the other patrons. Suddenly I was startled by an exclamation. He spread the paper on the cloth in great excitement and smoothed its creases as tenderly as if it were a document of great value. As a matter of fact it was precisely that for an unfortunate man who was at that moment immured on Devil's Island, the world's most hideous prison. If my father never had seen that newspaper I believe it is quite likely that Captain Dreyfus might have ended his days in the penal colony to which he had been condemned as a traitor to France.

The newspaper that my father had picked up was *Le Matin*, the celebrated morning newspaper

of Paris. The Dreyfus case was in that year of 1896 regarded by many people as a finished episode. Had not the traitor been convicted? Had he not been degraded? Had he not been sent to Devil's Island from which only a few of the most hardy rascals of France ever returned, and then only as living wrecks freighted with the germs of tropical fevers? To the world, Dreyfus was as a dead man, but in that issue of *Le Matin* in my father's hand there was presented for the first time a facsimile of the piece of writing that had been used to convict Dreyfus as a traitor who had betrayed his country to her old enemy, Germany.

I do not remember much of the incident except my father's excitement; of my distressed astonishment (and the waiter's) that he should ignore the meal he had ordered so carefully; and of our precipitate departure from the restaurant. We went to his office where he dictated to his secretary a letter to Madame Dreyfus, who had become an object of sympathy to all the world outside of France.

Turning the leaves of one of my father's scrap books long years afterward I came upon that copy of *Le Matin* and was at first startled to discover that it reproduced that document, a photograph of which had hung for so many years on the wall of David N. Carvalho's New York office; a photograph that he displayed as an Indian chief might

display a scalp, souvenir of some mighty triumph.

It seems amazing now that so much had been printed about the case without the secret document itself having been reproduced in any newspaper before that time; and yet, when you understand what had happened, what forces had been at work and the state of mind into which mob fear can drive a nation, you may understand why the bordereau was a secret document. When you understand that, you understand what was behind the Dreyfus case and why my father entered it as a crusader.

One morning in October of 1894 Captain Alfred Dreyfus of the general staff of the French army, temporarily serving with a regiment stationed in Paris, left his wife and children to report to the war office. An official notice directing him to come had requested that he appear in mufti. That was the only puzzling circumstance about the order but he had obeyed it, leaving off his smart kepi with its braid of gold, his blue tunic with its frogs, his crimson trousers with a black stripe wider than an inch.

Upon entering the war office he was received by Colonel Picquart of the intelligence staff who conducted him into the office of the chief of staff, where he was received not by the chief but by Commandant Paty du Clam. Three men unknown to him were present. Afterward he discovered

them to be Cochefort, chief of the secret police, one of his aides and the keeper of the records, Gribelin.

“The General is coming,” remarked du Clam in a voice curiously distorted by emotion. “While you are waiting, as I have a letter to write and have a sore finger, will you kindly write it for me?”

Captain Dreyfus, graduate of the *École Polytechnique*, graduate of the military school of Fontainebleau, a man with training as a cavalryman and as an infantryman and an artillerist of exceptional technical knowledge, sat down at once and prepared to write.

Du Clam seated himself where he could watch the moving pen in the hand of Dreyfus and began to dictate. Dreyfus wrote accordingly, his ingrained courtesy keeping him at the unusual task as if he had been bred and trained for the work of an amanuensis. Abruptly du Clam jumped to his feet, clapped his hand rudely on the captain’s shoulder and proclaimed:

“In the name of the law, I arrest you. You are accused of the crime of high treason.”

Arson, rape, murder, nothing on the calendar of crimes is so abhorrent to a soldier as that named in a trembling voice by the agitated du Clam; so it is not surprising that Dreyfus in turn became agitated, that he burst into denials, into

pleas for some explanation. To be called a traitor in a France which feels itself to be perpetually in a state of siege is to be pushed to the brink of a yawning pit.

In this country we have a crime which is called "inciting to mob violence." I do not know if the French define such a crime but there is ample evidence that the deed is something with which they are familiar. Captain Dreyfus became a victim of mob hatred.

The French people, mourning for the lost provinces of Alsace and Lorraine and hourly in fear of a new invasion that would result in further dismemberment of their country, for days had been reading veiled and disturbing references to an unidentified traitor who had been selling military secrets to the enemy. In that day, when the French said the enemy they always meant that neighbor with whom they were technically at peace, Germany. France in that day always feared the morrow as settlers in an American frontier trading post, sleeping behind a stockade, feared the Indians for which their sentries watched. Then the French sentries watched for Germans. We know to-day that there was justification for that fear. When Captain Dreyfus was arrested the mass of the people of his country were by that fact convinced of his guilt. Would his superiors, they asked, have caused his arrest

if they did not have sufficient proof of his guilt?

Dreyfus was given none of the protection which in this country is supposed to hedge the liberties of us all. Here a man is presumed to be innocent until he is proven to be guilty. In France a man who was arrested had to establish his innocence.

For seventeen days after his sudden arrest Captain Dreyfus lived on bread and water in the solitary cell of a convicted criminal. If he had been guilty he would have deserved worse treatment. But was he guilty?

News of the defection of an officer of the general staff, of a man apprised of all the secret plans of the army, had percolated into the newspapers some time before the arrest of Dreyfus. The entire nation was alarmed. Every man, every boy in the whole of it, felt himself to be a part of the army. Each one knew that his own life might be forfeited by a traitor highly placed in the headquarters of that organization which had for its purpose the defense of everything they held dear. There was, therefore, at all times an instinct ready to boil into an instant hatred of any one who might be caught playing Judas to the nation.

The means by which the nations of the earth keep informed about the military strength of their rivals are pretty well understood. There are several kinds of spies engaged in this employment. It is not fashionable to call the military attaché

of a foreign embassy a spy and yet what better word can be found to classify one whose duty it is to discover as much as possible of the military secrets of the nation to which he is accredited? France then, as now, had her army and navy representatives in every important capital. Other nations were similarly represented in Paris.

The German military attaché assigned to the embassy of his country in Paris was Major von Schwartzkoppen, a Prussian officer who was as popular in Paris as it is possible for any Prussian to be in that city in which fear of Prussia is a true phobia. Every one realized that he had other duties to perform beside his most conspicuous one of being a colorful personage in fashionable drawing rooms. Chief among those other duties was the procurement of military information. The best way to get military information, as with any other commodity, is to buy it. Major von Schwartzkoppen was at all times a market in which scraps of news about the defensive mechanism of the French people might be sold. It is one of the stock absurdities of fiction that spies deal only with facts of transcendental importance. That is nonsense. What they trade with in the underground market places of their industry are myriads of facts, none of them as a rule important in itself, but all having significance when worked by understanding brains into a single pattern.

As the shrewd Wall Street stock operator watches market trends and gauges events in advance of their happening by keeping himself informed, so do military leaders in time of peace prepare for the future. They keep themselves informed through a variety of channels. Major von Schwartzkoppen could be expected to pay fifty francs for this fact, perhaps a hundred francs for another. Each fact so purchased from a Frenchman constituted a treasonable act on the part of the seller; a patriotic duty on the part of the buyer. Major von Schwartzkoppen was very patriotic.

Since the French military attaché in Berlin was engaged in a similar kind of brokerage France did not openly resent von Schwartzkoppen's trade; what she did was to watch him. His *valet de chambre* was an agent of the French secret police. His charwoman was a French spy. His women friends, his bootblack, his coachman, his near neighbors were something more to him than these classifications would indicate. They spied on him for France as he in turn spied on France for Germany. His house was a kind of river with two currents.

Daily the contents of his waste baskets were carried by a servant to the Intelligence Department of the French War Office. Young officers there received what she brought with an amazing solicitude. Sometimes there were apple cores,

orange peel, cigar butts, but always bits of paper. It was the paper that they wished. The paper contents of those waste baskets were studied with the care and loving attention that collectors of rare manuscripts bestow on the priceless incunabula of a museum.

One day some torn scraps of paper were found that caused a great stir of excitement when they had been pieced together. It seems incredible now that Major von Schwartzkoppen would have been so careless as to toss away, where it was sure to be found, a paper containing some of that information which he was forever buying. It was this paper which is now known, in that chapter of French history called the Dreyfus case, as the "bor-

LINE 1.

Les nouvelles, n. id., neant que vous  
devez me envoyer, que vous admettez également  
l'assassin que j'ai rencontré à Troyes.  
1: une note de la police hydrographique  
du 180 de la marine. Outre tout autre

Facsimile of the bordereau.

dereau." It was a letter, or rather a memorandum. Presumably it had been sent to the German military attaché by one of his spies.

"Without news indicating that you wish to see

me," the pen and ink writing on the paper read, "I am sending you nevertheless, sir, some interesting information.

"1—A note on the hydraulic brake of the 120 gun and on the way in which this piece behaved.

"2—A note on the covering of troops. Some modifications will be entailed by this plan.

"3—A note on a modification in artillery formations.

"4—A note relative to Madagascar.

"5—The project of a firing manual for field artillery, March 4, 1894.

"This last document is extremely difficult to procure, and I can only have it at my disposal for a very few days. The Minister of War has sent a limited number of copies to the several corps, and these corps are responsible for it; each officer is to send his copy back after the manœuvres. If, therefore, you will take from it what interests you, and hold it afterward at my disposal, I will take it, unless you should desire that I should have it copied in extenso and then send you the copy. I am about to go to the manœuvres."

Some of the chronology of the Dreyfus case seems essential here to make clear what terrible pressure was operating on the heads of the French War Office when Dreyfus was arrested.

It was about April 1, 1894, that the traitorous document, freshly written, was brought in torn pieces to the War Office.

It was October 13 when M. Bertillon, the great finger-print expert, informed the army leaders who had consulted him that a man they suspected had in fact written the paper. Two days later Dreyfus was arrested.

In the months that elapsed between the discovery of the existence of a highly placed traitor and M. Bertillon's identification of Dreyfus the information given to the public by the newspapers had stirred the French nation as any household might be disturbed in the middle of the night by the discovery that somewhere on the premises a burglar was concealed. A culprit simply had to be found if the highest officers of the army were to preserve their positions.

The court martial of Captain Dreyfus was a secret affair. As soon as the witnesses had been called the army officer-prosecutor demanded that the case be heard *in camera*, and there was objection from the counsel of Dreyfus.

“Seeing that the only piece of evidence—” he began.

He was interrupted rudely, by the president of the court martial, and the prosecutor, a fellow officer of Dreyfus, said coldly:

“There are other interests at stake than those merely of the accusation and defense.”

The truth of this may not be denied even now. There was a threat of war in the very nature of the charges against Dreyfus. A public trial might lead

to consequences as terrible as the event which finally began in 1914. So, the evidence was presented to a group of army officers who were well persuaded before they began their deliberations that they were dealing with a guilty man. In time of war they would have shot him and that would have been an end of the Dreyfus case. Behind closed doors, like so many policemen condemning the suspect they had caught, the army officers arrived at their verdict. The sentence was degradation and exile for life.

On the morning of January 5, 1895, troops paraded in the quadrangle of the *École Militaire*. They stood thickly against the cold walls that enclosed the yard. Then Dreyfus was marched in and made to pass before them while, unrebuked, these men from the ranks addressed to him the vilest words in their vocabularies. The gold buttons still shone on the tunic of the captain. There was still gold braid on his kepi and a sword, his sword, had been brought into this arena. It had been filed at the centre until there was a place where it was thin as paper. The verdict of the court martial was read out.

“Dreyfus,” spoke General Devas, “you are unworthy to carry arms. In the name of the people of France—we degrade you.”

These last three words were spoken as if the general had meant to spit in the face of the despairing man he confronted. Then an officer took the

sword of Dreyfus and broke it across his knee. After that he snatched the buttons and the braid and the other devices from the prisoner's uniform.

"I am innocent," said Dreyfus.

"Kill him; death to him," yelled the troops and their ranks swayed ominously.

"You will tell France that I am innocent," demanded Dreyfus as he was marched past a corner of the quadrangle where stood representatives of the French press.

"Silence, wretch!" The reporters, too, were of the army, like all the men of France.

Dreyfus had been nearly two years on Devil's Island, I think, at the time my father's interest was awakened. When he wrote his letter to Madame Dreyfus, suggesting that he might be able to help her establish the innocence of her husband, we were living at Breezy Point, near Baywater, Long Island. In the tang of the salt air with which he filled his lungs, in the green water that reached close to our verandah when the tide was high, I was sure that David N. Carvalho felt a bond that linked him with that poor exile on Devil's Island, thousands of miles south of us. Dreyfus could hear the roar of the surf and gained faint solace through watching it through the bars of his cage. That water which threw itself high on the beach of his prison was a part of the same ocean that laved the coast of his France.

## CHAPTER VI

One day, many months after his letter had been mailed to Madame Dreyfus, two men came to call upon my father. They brought with them photographs of the by-that-time celebrated bordereau, photographs of the specimens of another man's handwriting, and many actual specimens of the writing of Captain Dreyfus. There were letters that he had written Madame Dreyfus when she was his fiancée—love letters. There were letters written to her from his solitary cell in Paris and letters from Devil's Island; and these, too, were love letters. The emissaries of Madame Dreyfus brought also photo-lithographic samples of the authentic writing of Captain Dreyfus which were suitable, because they were less personal, for introduction into a trial. My father received these documents some time in April of 1897.

The cause of Dreyfus—and his pitiable situation had become a cause that nearly involved France in a civil war—had enlisted many noble minds. Powerful personages in France were persuaded that he, a Jew, was a victim of anti-Semitic prejudice. As powerful as they were, however, the enemies of Dreyfus were more powerful. In France so many, and so conflicting, were the currents of public opinion that it was nearly impossible

for any one to think clearly about the case; but in America one might think and act.

Late in the summer of 1897 my father came home to Breezy Point looking as valiant as if he had been out slaying dragons. That day he had seen some precious evidence of his own embark for France. It was his deposition, sworn to before a notary, so that what he had written was attested by his oath. As if he, too, had joined a military organization he began to wear a yachting cap.

"A finger-print expert," he said scornfully when my mother asked him playfully what kind of a giant he had been killing. "This fellow Bertillon is going to get a lesson in the science of handwriting that should make a better man of him."

After that he went into the yard under an old elm to play cribbage on a Turkish taboret with his crony, P. F. Griffen, who was then the head of Rogers, Peet & Company, a large firm of haberdashers. It was not until long afterward that I learned that for my father the Dreyfus case had been a transoceanic duel which he had fought with M. Bertillon.

From the newspapers he learned that poor Dreyfus had been transferred to a new hut on top of Devil's Island, a place enclosed within a wooden palisade nine feet high that rose above the top of a wall of masonry taller than the tallest of men.

Even the hut roof could not be seen above the stockade. The authorities hinted that there was danger of an attempt at rescue. Dreyfus, when he discovered he was no longer to be permitted even to see the ocean and that henceforth he would have to live on a half ration of tropic air, sighed deeply.

“Ah,” he said, and the press reported his phrase, “they are going to bury me here.”

It was in his life the moment of darkness that precedes the dawn.

In France a new head of the intelligence department of the War Office had found himself a few months before in possession of a card that bore some significant writing. It was a card of a sort that is used in the transmission of messages by means of the pneumatic tubes that were used by lovers and business men who found the ordinary mails too slow. The spy who brought it to Colonel Picquart informed him that it had been intercepted after it left the German Embassy. The card was addressed to an officer of the French army, Commandant Esterhazy, 27 Rue de la Bienfaisance. From that moment the honest and astute Colonel Picquart took a keen interest in the character and person of Commandant Esterhazy. He also took steps to obtain samples of his handwriting.

This Esterhazy was a person with fierce moustachios that projected widely beyond his sharp features.

He began his military career as one of the Pope's mercenaries, but when that force was disbanded in 1870 he obtained a commission in the French army. Hungarian blood flowed in his veins and his birth was the result of a union that was not a marriage. Once Colonel Picquart got on the trail of Esterhazy he was able to find little that was to his credit. Once this man had forged a citation on his record in the War Office. In letters to a woman friend he had revealed in unmistakable phrases a hatred of the other officers of the army to which he had attached himself. He had swindled a young kinsman with the practical skill of a confidence man. Esterhazy was a bad man, unscrupulous, loyal to nothing.

In January, 1898, Major Esterhazy was brought before a court martial on the charge of high treason. He was tried as the author of the bordereau, the document supposedly written by Dreyfus. The court martial was a miserable farce. By order, Esterhazy was acquitted. Naturally this had to be done because if Esterhazy was guilty then Dreyfus was innocent. Matthieu Dreyfus, wealthy brother of Alfred, had openly accused Esterhazy.

The deposition made by my father was then in France and it was shown to, among others, Emile Zola. After the amazing acquittal of Esterhazy, Zola flamed out with an impassioned, but logical, review of the Dreyfus case which he addressed to

the President of France under the title, "I Accuse." About this time the name Carvalho began to appear in the headlines of French newspapers along with that of Dreyfus.

"I accuse the first court martial of having violated the law in condemning an accused person on a document kept secret," Zola had written. The document he referred to was one that had been forged by an officer of the French military intelligence in order to clinch the case against Dreyfus.

"And I accuse the second court martial [Esterhazy's] of having in obedience to orders covered this illegality by committing, in its turn, that which is a crime, knowingly acquitting a guilty person."

For that Zola was brought to trial. He was convicted, but escaped the consequences on an appeal. Then he was tried again and again convicted. He left France; but the anti-Dreyfusards were losing strength. The truth was becoming too heavy a burden.

Immediately after Zola's trial Madame Dreyfus brought before one of the French courts a petition for the revision of the court martial of her husband. She asked for this on the ground that his conviction had been brought about by illegal means. Zola's sacrifice had accomplished much for her. The French government prepared for the reopening of the case. On the side of the bureaucrats were several French handwriting experts, includ-

ing Bertillon who had originally studied the bordereau. On the side of Dreyfus was David N. Carvalho.

It was a stormy night in July, 1899, when a white-haired, emaciated exile was landed in France and, surrounded by infantry with fixed bayonets, was placed aboard a special train for Rennes where there was a military prison. Madame Dreyfus was there waiting. They had been separated more than four years measured by ordinary calendars but in that time Dreyfus, born thirty-nine years before, had become an old man. This second trial also was a court martial.

M. Bertillon was the principal witness of the prosecution. He leaped upon his portfolio, snatched forth its contents, dashed at the president, confronted one judge after another. What he was shouting was a meaningless jargon.

“Five millimetres reticulation,” he declared at the top of his voice. “Twelve point five centimetres gabarit and a millimetre and a quarter imbrication. Always you find it. Always, always, always.” His voice became a shout.

My father recited the testimony of Bertillon for my benefit many years afterward. I had asked him to tell me about the case.

“Can you understand ‘reticulation,’ ‘gabarit,’ ‘imbrication,’ Claire?”

I shook my head from side to side.

Father smiled gleefully. "Neither could those French army officers," he said.

Two of the officers voted to acquit Dreyfus; five voted to save the faces of their superiors. The verdict of the majority spoke of "extenuating circumstances" and caused him to be resentenced to ten years' detention. A few months later he was pardoned "in principle" by the council of ministers.

Afterward occurred the confession of forgery by Colonel Henry and his suicide; then Esterhazy made a confession and fled to England, where he died. In 1906 the highest court of France declared that there was no shadow of guilt upon Alfred Dreyfus. One week later the white-haired man, once more attired in his uniform as a captain of the French army, was marched into that quadrangle of the *École Militaire* where he had been degraded more than ten years before. Again the troops were brought in but this time they passed in review before Captain Dreyfus who was in their presence decorated and made a chevalier of the Legion of Honor. The high official of France who kissed him on each cheek and then stood back to receive his salute, called him Major Dreyfus. The career of the prisoner of Devil's Island had begun again.

It was the day after that splendid occasion that I looked up from the morning paper at the breakfast table and asked my father to tell me about the

Dreyfus case. When he had finished I still was puzzled.

“But how,” I asked, “how could you know that he was not the writer of that traitorous letter, the bordereau? How could you, an American, persuade any one against the clamor of Bertillon?”

“Reticulation, imbrication, gabarit,” he recited. “Gibberish, damned nonsense. Instead of nonsense, I told them common-sense things.

“The very instant I saw that newspaper reproduction of the bordereau and the authentic copy of Dreyfus’s handwriting I was sure he never had written it. That was instinct; but when I had studied the case my conclusion was based on a certitude. Dreyfus could not have written it.

“Suppose you saw a lame man limping in the street. You know he limps because it is difficult for him to walk. He walks in the only fashion of which he is capable. Suppose you saw behind him an agile boy mocking his affliction by walking with a limp grossly exaggerated. You would know at once the lame man could not limp in any such extreme fashion. His frail leg would not permit. So it was with Dreyfus.

“A particular feature of all of the writing of Captain Dreyfus was that all of his initial letters started from the base line and that the second letter is in general curiously raised above the line. The raised part comprises ordinarily the third and some-

times the fourth letter after which the writing returns suddenly to the line describing the section of a circle.

"I have learned by many years of experience that when a man tries to disguise his handwriting

THE  
DOCUMENT. DREYFUS'S WRITING

		1890	1893	1895
Initial	a	a a	a a	a a
Middle	a	q a	a a a	a a
Final	a	a a	a	a a
Isolated	a	a a	a	g a
LETTER B				
Initial			b	b
Middle	t t	b b	b b	b b

he tries to avoid the dominant and apparent characteristics of it. He never tries to accentuate those characteristics. On the other hand if he attempts to imitate the handwriting of another he will look for these dominant and apparent characteristics and make them more intense in order to draw at-

tention more particularly to these special points. That is what Esterhazy had done. He was the agile boy imitating the lame man, but at times in that treasonable writing he forgot to limp. He wrote like Esterhazy. Don't ask me why he tried to throw suspicion on Dreyfus. I know that it was discovered finally that he had sent more than 150 communications to Schwartzkoppen. Undoubtedly he lived in terror of apprehension and it is quite possible he took that cruel and daring expedient as a means of diverting suspicion from himself at a time when he feared immediate discovery of his treachery."

When news reached this country that Alfred Dreyfus had so distinguished himself at the battle of the Marne that he had been made a lieutenant colonel my father rejoiced as if he himself had been honored. When he learned that it was Colonel Dreyfus who had discovered the espionage work of Mata Hari, the fascinating Eurasian dancer, who died before a firing squad in Paris during the war, he was elated.

In the Dreyfus case my father gave his services without cost to the family of the unfortunate man. He said he had no compunction about taking money from the state for helping to convict the guilty; but when he helped to save innocent men from prison he enjoyed working as a crusader.

## CHAPTER VII

My father could entertain himself for hours with detective stories in which fictional interchanges were moulded so as to move the characters toward a pre-conceived solution of a case; but in his work he would permit his mind to be swayed only by facts. He was not concerned with anything but truth.

Sometimes if I made a dogmatic statement based on intuition he would become petulant.

“Now you are jumping at a conclusion,” he would say, and rattle his newspaper savagely. “Be guided by facts. Judgment based on facts is sounder and more civilized than a conclusion based on instincts. If you drag a suit of my clothes down the street you can fool a blood hound that might be trying to track me. Don’t be misled by a few coincidences.”

One evening when he was lecturing me in that fashion at the dinner table he burst out with an exclamation.

“This fellow Holt that shot J. P. Morgan,” he said, “may be a Harvard professor who disappeared some years ago and who is wanted by the police of Cambridge, Mass. The question is: Are Frank Holt and Eric Muenter two individuals with

criminal tendencies; or are they the same personality? I'll bet anything you like they bring this problem to my office."

Before he left the house he was scowling to himself over the question—and yet I knew, and he knew that I knew, that he was delighted at the prospect of a fresh problem. No cross-word puzzle fan ever had a minute part of the appetite for things to sharpen his wits on such as was constantly gnawing at David N. Carvalho.

This was in 1915 in the second year of the war. I was married but never a day passed without at least one visit to my father. In his eyes I was still a little girl and even the inescapable fact that he was a grandfather could not alter that situation for him. So, he gave commands, presents, affection and lectures in the same proportions as when I had been his motherless housekeeper.

For days the newspapers were occupied with the case of Frank Holt and, as Father predicted, the authorities came to him for assistance.

The Morgan home on the shore of Glen Cove, Long Island, was invaded one July morning by a maniac who flourished a revolver in the face of an astounded butler who had responded to his ringing of the door bell. Holding the revolver in position to fire any instant, the intruder, with eyes shining fiercely, rushed from room to room until he found Mr. and Mrs. Morgan on the second floor. The

British Ambassador, Sir Cecil Spring-Rice, was a guest there at the time.

The man harangued the financier insanely about shipments of munitions to the Allied nations and then began to shoot. Mrs. Morgan flung herself upon the man and so disturbed his aim that his purpose was not accomplished. Mr. Morgan was seriously wounded, though, for one bullet tore into his groin and another lodged in his abdomen.

In spite of his wounds and fearful shock, Mr. Morgan, who was physically powerful, seized the man and was wrestling with him when servants rushed to his aid. Yelling wildly the assassin was borne down under their weight until his head and shoulders were pinned to a fine Persian rug. It was probably no satisfaction whatever to the prisoner when he finally was trussed up with some of Mr. Morgan's cravats that among the weapons with which he had been overcome were priceless Chinese porcelains. Probably there never has been a rough-and-tumble fight in the midst of so much luxury.

A search of the rumpled clothing of the man, after he had been overpowered, revealed the presence in an inner pocket of several sticks of dynamite. At the Glen Cove jail, and later in the Nassau County jail, the prisoner identified himself as Frank Holt, an instructor of German at Cornell University.

In the fight Holt had been pretty savagely handled. His features were badly swollen; he was black and blue and his head had been lacerated, but every breath he drew was expelled in the form of passionate words concerning his purpose. He was determined, he said, to stop the slaughter overseas that was being accomplished with tools of death fashioned in America.

Under questioning in jail Frank Holt confessed freely that his attack on Mr. Morgan had been planned deliberately and also that he was the man who had deposited a bomb in the Capitol at Washington. Holt's wife was the daughter of a Texas minister. Concerning them he was an altogether different person. In letters to his father-in-law he expressed contrition but declared he had been trying to do his duty.

Did this man have a criminal record? Puzzled policemen seeking an answer to that question finally determined that there was a resemblance between Frank Holt and photographs in their files of a former instructor of Harvard University, Erich Muenter. The authorities were unable to trace Holt's life any further back than the year 1908. Muenter had disappeared in that year.

Muenter's wife had died after the birth of her second baby. She had some stomach trouble. No death certificate was issued and the coroner ordered her viscera sent to the laboratories of Harvard

Medical School. The husband took the body of his wife to Chicago, arranged for its cremation and left his two children with their grandmother. Then he dropped from sight; and a few days afterward the police of Cambridge, Massachusetts, began to hunt for him. The report from the medical school laboratory disclosed that Mrs. Muenter had died from the effects of poison—arsenic. A warrant was issued and Muenter was indicted for murder.

It was about that time that Frank Holt appeared in Mexico City. Some of the Mexico City news-stands carried papers published in the United States. In these Frank Holt read all about the Muenter case. There was a bond between Muenter and Holt in that both of them made their living as instructors of German.

The irrational Holt took an extraordinarily keen interest in the Muenter case. He wrote a pamphlet about the case in which a critical eye might have detected a threat to get even with the world. Did that prove that Holt was Muenter? Or did it simply present another instance of a man identifying himself with the troubles of another because of a similarity in their professions? We all do that when we go to the theatre or when we read a story. The troubles and triumphs of the hero become our troubles and our triumphs.

In jail at Mineola, Long Island, Holt denied that he was Muenter. The sisters of Muenter came and

looked through eyes blurred by tears at the bandaged head of the sullen prisoner. They decided that he was their brother although he assured them they were mistaken.

A few days later the miserable man climbed up as high as he could on the bars of the cell and then dove head down to the concrete floor.

In this terrible manner Frank Holt died; but did Erich Muenter die also?

My father was given samples of Holt's handwriting and from Cambridge came papers covered with the writing of Muenter. He studied them for days before making a report. Then he said that the writings were those of two distinct personalities.

I was inclined to question his judgment at the dinner table that night, but my incredulous manner did not irritate him. He was too sure of his ground.

"You are jumping at a conclusion, Claire," he said. "But you are not alone in that. So are the police of Nassau County and the police of Cambridge. The police do not like to have unsolved mysteries on their books. Such things compromise them. There is no reason for you to be in any such hurry to dispose of a murder mystery, though. Some day Muenter will be caught."

"But, Father," I protested, "how can you say that Muenter and Holt are distinct when there are so many circumstances pointing the other way?"

"I'd rather have one fact," he retorted, "than a

bale of circumstances. There was a foreign cast to the writing of Muenter, a quality that I could not find at all in that of Holt. This man Holt who tried to kill Mr. Morgan wrote with much more facility than was apparent in anything produced by Muenter, the Harvard instructor.

"They were different men, you may be sure of that. A man can shave off a beard. Muenter undoubtedly shaved his face smooth when he went into hiding; but how could Muenter disguise every muscle of his arm? Answer that one, please.

"The matter of alignment, of slope and angle, of pen pressure, of relation of letters to the base line, spacing and speed, in all of these things I was told confidentially, you might say, by the prisoner himself that he was *not* Erich Muenter.

"I'd like to bet you a hat, though, on one thing."

"A good hat, Father?"

"The best you can buy because I'll never be called on to pay it. I'll bet that wherever he is, Erich Muenter is laughing sardonically at the police of Cambridge and the police of Nassau County. What more could a fugitive from a murder-charge ask than to have the body of another man buried as his own?"

It was a bet I did not take.

I am married. My wife and baby will stay with relatives in Chicago next year and will be depending upon me for support but to a very limited extent.

Erich Muentert.

Place and date of writing Lawrence, Kansas, March 20, 1904.

Facsimile of Muentert's handwriting in his application to Harvard.

How terrible it all looks now & how different from my plan. What can I say to console you and the family? It is too much all at once! My heart & brain are in such agony that words cannot express. I fear you.

Facsimile of Holt's handwriting in his letter to his father-in-law.

## CHAPTER VIII

We had been to a play, my father and I, and sat before an open fire in the house he then occupied in Tenth Street, close to Fifth Avenue. The melodrama, one with a plot concerned with a missing will, had not been satisfactory to him. It was a special occasion and he sipped some ancient brandy and scowled at the flames, weaving orange and blue fabrics out of the wood of broken old whalers that he used to get in barrels shipped from Cape Cod.

“My life has been one unceasing third act,” he burst forth after a long silence. “Just think how many times I have been made to walk on the stage of other people’s troubles, point out the villain and then vanish into the wings. I never see the start of these real dramas; but I have ended more of them than I can count.”

I suspected that he wanted to talk. The brandy had loosened his tongue. When he had lighted a fresh cigar he spoke again.

“The Wilkins case,” he said, “had all the elements of a play except a happy ending. Unhappy endings, however, are sometimes appropriate. Do you remember the trouble that Wilkins got into?”

I shook my head.

Reaching behind him to a drawer in his desk he hauled out a scrap book of newspaper clippings and thumbed the pages until he found what he wanted. Then he handed the heavy book of clippings to me. As I read the headlines much of the affair revived in my memory. At first it was the story of a raid by burglars on the home of a Long Beach physician.

Dr. Walter Keane Wilkins and his wife Julia had been noteworthy in the eyes of their neighbors because of their extraordinary passion for pets. They had a house in town but spent much of their time at the Long Beach place. They would spend hours strolling along the beach sand, watching the breakers transform themselves from sculptured scrolls of green into white lace that disappeared after a magic second of graceful existence.

Often they were accompanied on their walks by two handsome collies that frisked along the sand leaving the pattern of their gambols as footprints on the glistening slope that was constantly being renewed by the curling waves. Sometimes Mrs. Duisberg, a neighbor, observed with admiration the behavior of the largest collie, Duke, when Dr. Wilkins would make an elaborate pretense of striking Mrs. Wilkins. No matter how often the white-bearded old physician tested the faithful creature it always responded with shrill barks of protest. If he persisted in the pantomime the dog would become almost hysterical and seek to crowd itself

between them. It was a game that pleased Mrs. Wilkins as much as the doctor. Often she would sink down on the sand and gather the slender head of Duke in her arms and soothe and flatter it as if the creature had been a child.

White tufts of hair clung to the side of Dr. Wilkins's bald head that usually was protected from the wintry blasts by a derby hat. Habitually he dressed as if he were going to call on fashionable patients, but that was just the result of a habit of years. Dr. Wilkins had explained to some of the neighbors that advancing years and the possession of a competence had persuaded him to give up his practice. He had confided to a few of them that his only object in going to the city on occasions was to look after investments.

If Dr. Wilkins was well dressed his appearance merely served to heighten the contrast between his own condition and the home in which he lived. Mrs. Wilkins was a careless housekeeper judged by the exacting standards of Mrs. Duisberg, and, besides, there were those other pets. In addition to the collies, the couple kept a monkey and a parrot. The parrot made strident clamor from the moment its cage was uncovered in the morning until the cover was replaced at night. The bird kept up its interest in life and maintained its health by eating sunflower seeds and performing amazing calisthenics on its perches and swings.

At the other end of the sun-parlor the monkey, tethered by a dog collar fastened about its lean abdomen, swung from a rafter among the greenery of oleanders and rubber plants in painted tubs. Mrs. Duisberg could rationalize the parrot, a sort of companion in spite of the mess it made; she could understand the dogs, faithful guardians; but she could not for the life of her see how normal people could eat and sleep under the same roof that sheltered a red-haired ape.

"We have no children in the house," said Mrs. Wilkins one time. "The doctor does not like to have company about, so the animals keep us from getting lonesome."

The neighbors of the Wilkinsons knew little more about them than this; a little that is a good deal more than is known by their neighbors about most couples who reside in New York, or its environs. We see people as you see masks in the window of a theatrical costumer, unchanging, without background, mere faces. It is the one big difference that marks apart the lives of those who dwell in small communities and those who stay in big cities.

One night in February, 1919, Mrs. Duisberg was aroused by a frantic pounding on her front door. She opened it cautiously to the narrow limit of a chain-bolt and looked out into the face of Dr. Wilkins.

"Burglars," he said. "My wife——"

Mrs. Duisberg took the chain off the door and after calling the police and sending for an ambulance from the Nassau County hospital went with the old man back to his house. When a police sergeant arrived nothing had been changed. The first unusual objects the cone of his electric torch picked out of the blackness were a woman's purple velvet hat lying on the brick walk in the side yard, a hammer and a section of lead pipe. Just beyond these, lying on her back, was a woman, breathing stertorously. It was Mrs. Wilkins. Bending over her were the doctor and Mrs. Duisberg. As the sergeant approached his foot slipped in something fluid that was spreading widely from the prone woman's head. Blood.

Afar off the three conscious people in the darkness of that side yard heard a shrill and pulsating cry. It was the hospital ambulance racing along the asphalt boulevard sending ahead twin beams of red from its headlights.

An emergency operation accomplished little for Mrs. Wilkins. Her skull had been badly fractured and she died within two hours after being received at the hospital. The police sergeant was reluctant to break the news to the old man who sat with his face buried in his hands. Still, it had to be done and the policeman had to get from him a connected story of the night's events.

There were two victims of the tragedy. The

collie, Duke, had been stabbed in the throat so that he had died silently unable to bark an alarm. There were glasses on the dining-room table that had contained whiskey. The doctor said he had returned home late with his wife, and had been alarmed by shadows that moved across the front windows between them and the light in the hallway. The doctor said that he told his wife to summon help and that he opened the door and entered the house to confront the person who had made the shadow.

The doctor explained that almost immediately after he crossed his threshold he was struck a staggering blow on the head with, he guessed, a piece of lead pipe. All that saved him from a broken skull, he said, was the stoutness of the felt structure of his square-crowned derby. Fumbling in his pockets the old physician made an uncertain inventory of his loss. His stickpin was gone from his tie, his watch was gone and likewise \$40. At times he wept. He drank a great deal of water and frequently dosed himself with white pills.

“How’s that for a second act?” asked my father when I had read the clippings.

“A better first act,” I insisted.

“Suit yourself about it,” he said, “but now listen to the rest.

“Old Wilkins was a convincing figure at his wife’s funeral, a decent mourner in correct clothes.

He knew how to behave on such occasions because this was the second wife he had buried. The first of three had divorced him. Those white pills on which he had relied to keep his nerves in shape on that terrible night when his wife was beaten to death contained, the district attorney of Nassau County had ascertained, a considerable amount of morphia. There was some evidence that both the doctor and his wife were rather constant users of this drug.

"No determined effort had been made to shake his story. It was entirely credible, considering the hosts of thieves that find shelter in New York. Burglars fear the scream of a woman more than any weapon a householder may raise against them. Still, there were two circumstances decidedly suspicious. These points were considered after the funeral.

"One was the fact that only the dog Duke had been killed. Why had the murderer, or murderers, ignored Duke's mate? When the butcher's boy, the iceman and other tradespeople invaded the yard both dogs had been loud in their protests. Why had the murderer discriminated?

"The other circumstance was the condition of Dr. Wilkins's bald scalp. In spite of the blow that had crushed his derby the thin, pinkish skin glowed in a state of unblemished health. If he had been hit hard enough to render him unconscious the blow surely might have been expected to leave a

discolored bruise where it had landed. There was no bruise. Still, it is not a crime, even though it is a cause for shame, if a husband does not behave valiantly while burglars are about. It seemed entirely possible that the old doctor had added the part about being beaten himself merely to give himself a more heroic place in the eyes of his neighbors than he was entitled to be given.

“The district attorney did point out to the old man that he might reasonably regard himself as an object of suspicion; but Wilkins did not resent his statement. He was intelligent enough to have anticipated it. In his mild way he reminded the district attorney that he was dependent on his wife for support. It was his wife, he said, who had induced him to give up his practice and take care of her real estate and other investments.

“When he was told that detectives were going to make a search of the Wilkins town house in Sixty-fifth Street, the old man swallowed a few more pills and nodded acquiescence. He was not told that the search already had been made and that a paper found there had been brought to David N. Carvalho for study.”

My father often spoke of himself as if David N. Carvalho were just a man with whom he was well acquainted. For his own skill as a handwriting expert and for his reputation as an authority on disputed documents he had a respect that he

somehow was reluctant to share with his opinion of himself as a person. He did not, I think, wish to be thought conceited, and yet he felt obligated to respect his own talents, to gauge them as they deserved. Certainly he did not believe any one else in the world in his limited profession was in a class with David N. Carvalho.

The document that was brought to him was a will of the dead woman. It had been found in a trunk in the town house. It made the physician the chief beneficiary of his wife's estate, which amounted to more than \$75,000.

Mr. Weeks, the district attorney of Nassau County, with a considerable skill in dealing with murder, invited the old physician to come and talk with him about the will. He came to the conference accompanied by a lawyer, and denied positively that he ever had seen the will. He stalked out of the district attorney's office mildly indignant—and disappeared.

For some days the old man was missing. He had lost his nerve! Afterward it was learned that he had gone to Baltimore and stayed at a hotel there, smooth-shaven, while the police were hunting for a man with a white beard. He might have gotten away for all time then, because a man of sixty-seven does not need to hide so very long to escape the police forever. Five or six years at the most and Wilkins's self-imposed exile would have

been ended by an involuntary and everlasting one. But he could not remain away. Some unfinished business in his tangled life brought him back to New York. He was arrested in a telephone

*Ms. Randolph C. Haven*

*Baltimore*

*Broad St. —*      *hd. —*

The address on an envelope written by Dr. Wilkins while in Baltimore.

*oh Brown*  
*R. Wilkins*   *Ex* *Blairing* *W. Va*

Facsimile of Dr. Wilkins's writing on the hotel register.

booth into which he had gone, presumably in order to communicate with his lawyer.

Dr. Wilkins was tried and convicted of the murder of his wife. It was established to the satisfaction of the jury that the hammer with which her skull had been crushed had been wielded by that seemingly gentle old fellow who had been her companion on so many walks along the beach. He had been forced to kill the collie, Duke, to keep the animal from raising an alarm.

My father testified that the date on the will, a

day in the year 1915, had been written by Dr. Wilkins. With chemicals father showed that the date had been written on the document with a different ink from that with which the text itself was written. Probably the will had been prepared by Mrs. Wilkins shortly after their marriage, but quarrels and a realization of other obligations had caused her to threaten to make another in which she proposed to treat her husband much less generously. What became of that other will which existed only by inference? It may have been destroyed by Wilkins. An earlier will dated 1903 was found after many searches. This one provided for other relatives of the dead woman. That one was accepted by the state as her last will.

During the trial Dr. Wilkins sat sucking one of his fingers in the manner of a very small boy. The disengaged hand roved nervously here and there among the law books from which his lawyers were trying to extract support for a weak defense. A braid-edged cutaway morning coat, striped trousers, carefully polished shoes covered the frightened body of the drug addict. He seemed unmoved when the jury reported that it had found him guilty. It was a jury he had helped to select, elderly, married men for the most part. It had taken them twenty-two hours and twenty ballots to agree.

Telephone 6989 Riverside

W. Keene Wilkins, M. D.

ONE HUNDRED AND TEN WEST EIGHTY-SECOND STREET

OFFICE HOURS:

10 to 12 a. m.  
2 to 4 p. m.

And by Appointment

New York  
May 15, 1907.

Received of Julia Anna  
Wilkins Cashed check  
for one thousand dollars  
(\$1000.00) to purchase an Auto-  
Car runabout, with the  
understanding that she shall  
have chattel mortgage upon  
said Auto-Car Runabout.  
No 9386. Horse power 12.8 until  
such time that I am able  
to return to her the amount  
above stated, loaned by her  
to make the purchase —

W. Keene Wilkins, M. D.

Specimen of the handwriting of Dr. Wilkins, used as a standard for comparison with the questioned will.

A day or so before he was to have been taken to Sing Sing where the electric chair is housed, Dr. Wilkins climbed up on a metal receptacle in the bathroom of the Nassau County jail. Carefully he adjusted a length of rope about his neck and secured the other end to a water pipe that crossed the ceiling. Prison keepers found him soon after he had kicked away that can on which he stood. His feet were twitching, but his neck was broken.

My father devoted a great deal of his time to a consideration of disputed wills. It is a curious trait, and a common one, that impels so many persons to defer the making of such an important document until a realization that they are on their deathbed hurries them into action that is not always well considered. Others have bequeathed trouble as well as an estate to their heirs by hiding their wills in some queer cache in which it is quite certain they would not think of concealing even a small amount of money.

“The plot of that play we saw the other night turned on a will,” he reminded me a few days after we had discussed the Wilkins case. “I wonder if you have ever thought why it is that a will is such a likable instrument in the sight of a playwright.”

I told him I had not.

“Wills,” he said, “are the voices of the dead. Sometimes they speak with malice but most often only with kindness. The reason, though, that

dramatists make such frequent use of them is that they are compact symbols of great wealth. A man signs his name to a paper and thereby prepares to divest himself of all his wealth; with a paragraph he enriches another man or a woman. There is as much magic in them as in the wand of Cinderella's godmother. More often than you might suspect, envious, avaricious people by simulating these utterances from the grave try to thwart the desires of the dead. Do you remember the Fair will case? You should, for it was with the fees I earned in that case that we built the home on Breezy Point."

This man Fair was an Irishman, born in County Tyrone in 1831. His parents brought him to America when he was a lad of twelve and proceeded to Chicago. He was a stripling of eighteen when the country was inflamed by news of the finding of gold in California. He went West and stayed around San Francisco until 1860. He knew the gamblers of the time, the saloon keepers, the bartenders, the bad men, the prostitutes, and the other adventurers good and bad who formed a part of that whiskered pageant. Fair had ability and judgment. He was not interested in merely getting a sackful of gold; he wanted great riches.

About the time Lincoln was inaugurated Fair was on his way to Nevada. He was interested in the silver mines that had been opened there. For

five years he prospected and worked in the mines. He showed skill as a manager of mining properties and became one of the owners of the Comstock lode, the mother lode that was so rich in ore that the tunnels that were driven into it became known as the Big Bonanza Mine. Cart loads of silver ore passed out of that mine in such a steady stream that within three years Fair and his associates were among the very richest in America. The group of mines controlled by the Fair crowd paid \$100,000,000 in dividends in three years and in 1869, James Graham Fair, aged thirty-eight, returned to San Francisco for the purpose of planting his riches in investments, so that he might never die poor. He invested as shrewdly as he had garnered. When he promoted any enterprise it prospered. In 1878 he built the Southern Pacific Railway and Ferry System. Eight years later he sold this property to the Southern Pacific Railroad. His profit was \$1,000,000, comparatively small change on the Fair ledger in that year.

In 1880, a time when tax dodging was considered to be just a phase of good management, Fair was assessed on \$42,000,000 in California. How much more wealth he had tucked away where the assessor could not say "I spy" none to-day can say; nor is it possible to estimate the value of his property in Nevada.

A rich man, a mean one and not happy, Fair

went from Nevada to the United States Senate in 1881 and served until 1886. Mrs. Fair divorced him, and he lived in rooms at the Lick House in San Francisco. A succession of women tried their blandishments on him. He got small comfort from them. Liquor had ruined his kidneys. Mining camp cooking had ruined his stomach. Asthma harrassed him as if the bony fingers of hateful ghosts were trying to strangle him. At last Fair was a fugitive from his own miserable body. He moved from place to place in California hunting for a climate in which he might be free from the awful seizures of asthma. He died on December 28, 1894.

Fair had made a number of wills during the last years of his life. One had been made in a temper. He had wished to disinherit his son, Charles, whose marriage had displeased him. Then, just before his death, he revoked that one and once more Charles became an heir of one of the greatest fortunes in the world. Fair's daughters set out to conquer New York society. One married a Vanderbilt. The other became Mrs. Herman Oelrichs. The Vanderbilt girl, Consuelo, who married the Duke of Marlborough, was the granddaughter of that same little Jimmy Fair who came here an immigrant lad from Ireland.

The children of James Graham Fair were not entirely satisfied with his will. They wanted ab-

solute control of the old man's property and he had tied it up by means of a trust clause. Under this arrangement trustees were to retain title to the fortune during the lifetime of the children, giving them the income, a matter of a few millions a year. The children set out to prove that Mr. Fair had been in such unsound health when he made his will that he did not know what he was doing. This effort to break the old man's will was dragging along in the courts when a woman entered the case.

Mrs. Jeanette Craven (Nettie to her friends) had been a school teacher. She offered, through her counsel, a new will written with a lead pencil. She said James Graham Fair himself had written it. This provided for a large bequest to Nettie, gave the children about as much as they were to inherit under the other will, and was burdened with no trust clause.

It had been reported that the heirs were going to give Mrs. Craven \$300,000 and dispose of her so as to concentrate their fire on the trustee will. As between the two wills there is some reason for believing that the heirs favored the pencil will. Anything would have pleased them better than the document that would have withheld actual possession of the great fortune. Then, the court which was considering the case decided that the trust clause was, as a matter of fact, invalid.

With that difficulty out of the way the heirs began to fight the claims of Mrs. Craven. They tried to compromise with her and she astounded them by producing a somewhat informal marriage contract and other documents purporting to be in the handwriting of Mr. Fair. Some of these documents were title deeds to important properties of the dead man.

The paper on which this woman based her claim to be the widow of Fair was an extraordinary contract. It read:

Imagine that happening to a family which was beginning to make some headway in society! Mrs. Craven also displayed a letter bearing what seemed to be the signature of Senator Fair in which she was referred to as "wife." This letter urged her to keep in her possession until after his death the holographic codicil written in pencil.

My father and another eminent handwriting expert received copies of all the disputed documents as well as many admittedly genuine writ-

John Francisco Gal.  
May 23 1892.  
I take Nettie P. Brown to be my lawful wife.  
James G. Fair

I take for my lawful husband James G. Gager -  
Nettie Brown

The forged marriage contract.

ings of the dead man. The other handwriting expert was Daniel T. Ames. Again and again my father travelled across the continent to San Francisco.

Every suggestion they made to the lawyers for the Fair heirs was carried out. One of the things Father wanted particularly was an extraordinary enlargement of the disputed documents. So, a special camera was built, a mammoth device twenty-five feet long, the bellows of which extended through two rooms. With this instrument the signature on the pencil will was enlarged 3,600 times. Each letter was more than a foot square.

The climax is best summed up in the words of the judge of the high court who finally ruled on the case, in a subsequent suit in which Mrs. Craven made a claim against the Fair estate for \$5,000 a month, based on her right of support as his widow. The judge in his opinion wrote:

“Evidence bearing upon the handwriting of the pencil will as compared with the genuine handwriting of the decedent and the evidence bearing upon the genuineness of the deeds, convinces me beyond all doubt that the will and the deeds were NOT written or signed or delivered by the decedent, but *are* forgeries. Hence, the fact is, that the decedent made no provision for petitioner’s support in anticipation of his death, nor does it

appear that he made any substantial provision for her support during her lifetime. She is therefore not considered as his wife, nor his real widow."

"But Father," I asked, "why did you and Mr. Ames require such an unusual magnification of the signature?"

"That was for the jury," he said. "We could tell without much study that Fair never had written any of the documents in dispute but for the jury we needed something to take the place of our own especially developed intelligence. Where was that place in which Gulliver travelled, the land of the giants? Lilliput was the country of the tiny people."

"Brobdingnag."

"Well, do you remember the defects that Gulliver was able to discover in the beauty of the young giant woman whose pet he became? Do you recall his discomfort when she dandled him upon one of her breasts? The pores of her skin in his eyes appeared as deep holes. He could discern no beauty.

"Gulliver realized that the defects he saw in the giantess existed, although not for his eyes, in the women of his own country as well as in the tiny creatures of Lilliput. Well, a microscope will give to any man the kind of an eye with which Gulliver gazed upon his gigantic mistress; and an enlarging camera will record what it sees for the eyes of all."

James G Fair

James G Fair

Genuine signatures of Senator Fair.

James G Fair

Signature to will, a forgery.

James G Fair

Signature to Mission Street deed, a forgery.

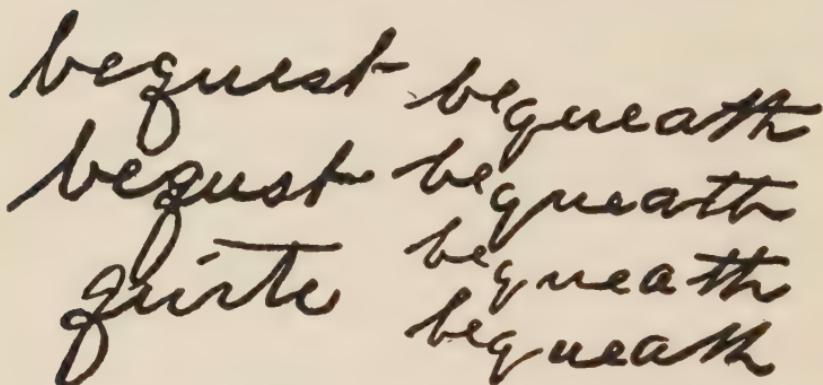
Theresa G Fair

Theresa A. Fair

The name above is from the forged will; the lower was really written by Senator Fair.

"If that's the case, why not use vast enlargements in all cases?"

"In all cases we do not have the Fair millions to pay the bills. What we spent in preparing the exhibits in that case amounted to considerably



bequest bequeath  
bequest bequeath  
quite bequeath  
bequeath

Above is a specimen of Senator Fair's genuine writing.

The word "bequeath" with its betraying "q" from the forged will.

more than some estates that become the subject of will contests. I have no doubt that Mrs. Craven and Fair were partners in some kind of an affair, but then, Fair had many women friends. I cannot imagine him behaving generously toward one of them. He expected avarice would cause some persons to come forward and assert that they were his illegitimate offspring. In his real will he provided that no more than \$50 should be paid to any such claimant. I do not know who forged the documents presented by Mrs. Craven, but the

work had been done by a fairly skilful forger who had been guided by genuine examples of the old man's handwriting. There is one letter that absolutely baffled the forger in this case, however. The Senator made a very peculiar symbol when he wrote 'q' and lacking samples the forger produced a 'q' that was totally unlike the letter as it was written by the Senator. The forger needed to use 'q' every time he wrote 'bequeath.'

"It was his ignorance of such fine points that defeated the purpose of the forger and those who inspired him. A section of the forged will and a portion of the genuine document written by Mr. Fair, might, at first glance, seem to have been written by the same hand, but the microscope showed that there were five hundred or more breaks and retouches in the forged document. A child could see from the enlargement that the pen that halted in that fashion was travelling in a strange road in the dark of ignorance when it wrote 'James G. Fair.' "

## CHAPTER IX

Long before his career had passed its zenith my father estimated that he had affected the courts' decision as to the ownership and possession of property aggregating over \$200,000,000. A large share of this vast sum was involved in will disputes.

Like the Fair will, the Davis case concerned the last testament of a forty-niner. Andrew J. Davis was a bachelor but paternity is not denied to a man on that score and the community in which Judge Davis lived was quite willing to concede that his bachelor blood ran in other veins after he had been mouldering for some time in a Montana grave.

Andrew Jackson Davis was born in Somers, Connecticut, in 1822 and after attendance at Phillips Andover Academy served as an apprentice clerk in Boston, but the great westward migration that had carried Jimmy Fair to San Francisco caught Davis as a chip is caught by the tide.

Van Buren County, Iowa, was as far West as young Davis got in his first chase after fortune. It was a frontier community, but there was no gold to be taken from the ground except in the form of wheat and corn after arduous labor. Davis managed to make enough money to live on. He at-

tended the roistering dances with which the people of the region broke up the ordinary monotony of their lives. One of the women there found him attractive, but if Davis yearned for a hearthstone and a family he curbed the yearning.

One day he left with a wagon train bound for Montana. One of the mule teams and wagons in that train belonged to Davis. It was loaded with provisions and other things which he hoped to carry to an eager market. His judgment was good. The men in Butte bought what he had freighted over the plains and mountains at fabulous prices. Davis decided to settle in Butte, and before long he was a power there. There was a streak of cunning as well as a lust for speculation in his blood.

Horses and mules were the only means of transportation. What freight the community needed from the East was hauled in by wagons like that which had brought Davis and his stock of goods. There was no wired system of communications. Most goods arrived from the East as a result of the haphazard guessing of men with trading instincts like those that had guided Davis himself. The animals used on the rough trails around Butte had to be shod or they soon went lame. Davis cornered all the horseshoe nails in the territory and made a big profit. One of the prospectors who had become discouraged after sinking

a shaft into one of the near-by hills agreed to trade his hole in the ground, his mining claim, for a somewhat decrepit horse that Davis had picked up through another trade. The hole in the ground was deepened by its new owner until he struck a vein of silver. Montana remembers that vein as the great Lexington mine. With the passage of years Davis became possessed of fifteen mines.

The people of Butte began to call this Yankee Judge Davis. There were several women in the community who called him pet names but none who dared to call him husband. Some of them had children. Davis became the head of a big national bank in Montana and held 44 per cent of the stock in another bank out there. He died, March 11, 1890. His estate then was estimated to be worth about \$8,000,000.

In the East there were about twenty-two legal heirs, sisters, nephews and nieces of the dead man. In Butte there were a couple of brothers. Since Judge Davis had died seemingly without having prepared a will these heirs naturally expected to share the estate. Henry A. Root, a lawyer of New York City, was one of the Eastern heirs (a nephew) and was the acknowledged leader of the other Eastern heirs.

Suddenly this group was confounded by an act of a brother of the dead man. This man, John A. Davis, knew considerably more about spending

money than had his brother. Judge Davis had been so frugal in his living habits as to merit what reproach there is in the term "miser." John Davis offered for probate a will which he said had been discovered in Iowa.

By the terms of this document he became the principal heir of his brother. The only other bequest in the document provided for the payment of an annuity to a man and a woman of Van Buren County, Iowa. These two were, it was contended, the living souvenirs of a forgotten romance.

Mr. Root, acting for the Eastern heirs, lost no time in retaining my father. Together they went West to Butte and examined the yellowed piece of paper that had been filed in court there as the last will and testament of Andrew Jackson Davis. This document was dated 1866. Was it genuine? Certainly the Eastern heirs hoped that it was not, although the evidences of age indicated that it was. However, the writer of the will had prepared that document in an illiterate fashion. To say that Andrew Davis was illiterate would be to libel Phillips Andover Academy.

My father, hiding a too youthful countenance behind silky whiskers, discovered that many restrictions hedged the testimony of handwriting experts in Montana. In fact, he could not testify at all as a handwriting expert, but only as a paper

expert, as an ink expert and as a color expert. Many distinguished men had been retained on both sides. One of the opposing counsel was the great agnostic, Colonel Robert Ingersoll.

My father, when it was time for him to testify, confronted a court room in which were many men wearing coats that bulged significantly at the waist. They were friends of John Davis.

John Davis had told how the will had been found by a man named James Eddy, in an old bureau drawer. The Davis will, he said, had been drawn during a visit that Andrew Jackson Davis had made during the year 1866. Two men whose signatures were on the paper as witnesses to its execution were dead. James Eddy was a grandson of one of them.

There were some red stains on the paper. Eddy explained that those were caused by his own perspiration. He had carried the paper to a lawyer's office on a very hot day and during a time when he was wearing a red woollen undershirt. Red woollen undershirts in that day were entirely plausible. There were more than 100 pin-holes in the will. Eddy explained those by saying that he had carelessly left the paper lying on a table in his kitchen and that his little girl had amused herself by shoving pins into it. The same little girl, it seemed, had held the paper over the flames of the kitchen fire and it would have been destroyed

entirely but for the fortunate chance of Mr. Eddy's presence. He had rescued it.

My father was permitted to testify that when he had first seen the will in August, 1890, it had appeared to be more aged than when it figured as an exhibit in the trial. Paradoxically, he said, the paper seemed to be growing younger. He volunteered to create a piece of paper much older in appearance by artificial means. He showed that the yellow stain was nothing more mysterious than tobacco juice. He literally threw a bomb shell into the bench occupied by the friends of Brother John Davis when he testified that the body of this will dated 1866 had been prepared with nigrocine ink. Nigrocine is produced by the action of concentrated sulphuric acid on induline, which is a modification of the chemically produced coloring called aniline black. This discovery was made in a laboratory in 1868. It was not utilized commercially in the manufacture of ink until about 1877; and the will written with this ink was dated 1866. It was later found that Eddy was a professional will maker and that he had written this will.

Even so, the jury disagreed and the newspapers of the day said that it was one of the most expensive disagreements ever arranged. Father, before leaving the court room, was informed that some of the bearded men who had been glaring at him during his hours on the stand, were planning to

ride him out of town on a rail. As he started down the steps of the court house he saw clustered at the foot a crowd of these men. He had to think quickly.

Acting on impulse he charged down the stairs straight at the loafers and they fled away from him like a flock of chickens. He did not wait for them to regain their nerve, but left Butte at once.

In 1892 John A. Davis fell down a flight of stairs out in Victoria, British Columbia, and was killed. His four sons continued the fight. Legal contests were held in other court rooms in Montana and in Massachusetts. Father, along with the lawyers, travelled back and forth until finally the case was settled by an agreement among the heirs. By that time under the nourishing care of a competent administrator the \$8,000,000 fortune had expanded into a fortune of \$14,000,000. It was well worth fighting over.

“But why did they offer such a crude piece of writing?” I asked my father one time. “Assuming that the will was forged, as seems to be apparent, why did the forger use a paper scarred by pin holes, partially burned and stained with dye from a red shirt?”

“I can’t answer that,” he said, “but I infer that they had to cut their cloth to fit a pattern. I infer that one of the persons involved first found a piece of paper that bore the signature of Andrew

J. Davis and then the will was written above that signature.

"Naturally the scars and stains had to be accounted for somehow. If the little girl had stuck pins into that paper, as her father testified, she did so before it bore the writing. I know that because the writer's pen again and again had caught, and, so to speak, tripped in those same holes."

Throughout his career my father's extraordinary knowledge of the history of ink served him well. Again and again he was able to confound clumsy forgers who had been foolish enough to suppose that ink differs only as to color. In one of his first big will cases his attention was drawn to some interlineations on the disputed document. These were written with a peculiarly brilliant red ink which had a bronze-like lustre. The tests he applied to that dried stain proved that it could not have had an existence until many years after the date of the instrument on which it had been used.

George P. Gordon, who had been enriched by his invention of the printing press which bears his name, died in 1878, leaving a large fortune. A will produced soon after his death was not probated for the reason that it was discovered that the witnesses had not signed it in each other's presence. Gordon's widow and daughter, the principal beneficiaries, agreed upon a division of the

estate which was satisfactory to the other heirs-at-law. The following year, however, another will was reported to be in existence. An obscure lawyer named Henry C. Adams said he had drawn it for Mr. Gordon.

This man, several years before the death of Gordon, had lived on a farm adjoining the rich inventor's place near Rahway, New Jersey. The lawyer, Adams, and Mr. Gordon had become well acquainted through a mutual interest in music. It was entirely plausible that Adams might have been retained by Mr. Gordon to assist him in drafting a will; but the underhanded manner in which Adams proceeded to bring this paper to the attention of some of the lesser heirs detracted materially from the plausibility of his story.

His first move was to call upon a nephew of Gordon, A. Sidney Doane. He told him that his uncle had made a will in 1868. If this document could not be found, Adams said, he believed it could be established as the last will and testament of Mr. Gordon by means of a draft of it which Adams said he had kept in his possession. Mr. Doane refused to have anything to do with the proposition. Then Adams approached a brother of the dead inventor. This man, Cuthbert O. Gordon, was equally cold to the suggestion. Next Adams wrote to Cuthbert Gordon, Jr., proposing a secret conference, and was again rebuffed. No

effort was made by Adams to get in touch with either the daughter or widow of the dead man, and seemingly he was reconciled to the existing arrangement.

Then in 1890 Mary Agnes Gordon, the inventor's daughter, died in Paris, and a contest over her will was begun. This was the sort of chance for which Adams had been waiting. He wrote to Black & King, a law firm representing the contestants of Miss Gordon's will.

"If one of you will come over here on Sunday," he proposed in this letter, "bringing no brass band, fife or drums, I will tell you something worth knowing."

Mr. King visited Adams at his home in Orange, New Jersey, and heard substantially the same story that had been repeated eleven years before to the cousins and uncle of the late Miss Adams. This time, however, he hinted that he might be able to produce the original will. It had been left, he said, at his father's homestead near Rahway where he promised to hunt for it. A few days later Black & King had a letter from him in which he informed them that the will had been found.

The next day these lawyers, accompanied by Adams, went to that old farmhouse, where Edward Adams, a brother, who occupied it, offered them a package which contained the will. This was found to be a long and complicated document

written in black ink on blue paper. The draft of this will, supposedly the very paper over which Adams and Gordon had struggled in the throes of composition, was on white paper. The body was written with black ink but there were many interlineations in red ink, red ink with a bronze-like lustre.

A significant paragraph in this mysterious document was a direction to the heirs of George Gordon to buy the Henry Adams farm. Meticulous instructions were given for the consummation of this deal and the price was fixed at \$32,000, a sum about three times the real value of the property. As a matter of fact there had been a time in Mr. Gordon's life when he had contemplated the purchase of the Adams place as a means of extending his own estate.

This curious writing was handed to my father, who was instructed to test it in every way possible. The first thing that attracted his attention was that bronze-red ink. He was considerably excited as he carried the paper into his laboratory. If that red ink had been placed there in 1868, as the date implied, it very likely would contain cochineal, a dyestuff extracted from insects which infest cactus plants. Father suspected, though, that it was not a cochineal red. Soon he had proved that the active color ingredient of the ink of the interlineations was eosine. The significance

of this was that eosine was unknown prior to 1874, in which year it was extracted from coal tar by a German chemist named Caro; and Henry

*Geo. P. Gordon..*

*Geo. P. Gordon.*

Genuine signatures showing the use of the pothook on the end only once and the scroll underneath added as an afterthought.

*Geo. P. Gordon*

Facsimile of the signature on the will with the pothook at the end and the uncertain, obviously copied scroll.

Adams had sworn that he had written those interlineations with his own hand in 1868, six years before there was a drop of eosine in existence!

This information, supported by the testimony of a number of manufacturers of ink, including the first man to import a supply of eosine, was sufficient to discredit the supposed will.

"They are not all so easy as that one," commented my father one day when I was glancing through a review of the case which he had written. "The manner of its 'planting' was in itself a most suspicious circumstance. It is a never-ending puzzle to me why people who wish to offer forged wills nearly always seek to create verisimilitude by pretending to find them in such unlikely places. Once I helped to expose the scheme of a woman who had 'found' a will sewn in the hem of a dress in the wardrobe of the dead woman who was supposed to have written it. In that case a note was produced, supposedly in the handwriting of the dead woman, which directed no one in particular to 'look in the hem of dress.' "

## CHAPTER X

Every important city in the United States has at least one large building that contains within its walls a maze of secret passageways linked by trap doors and concealed ladder wells. That building is the one which houses the post office.

Into the dusty shelter of these hidden galleries go men who wish to make use of the peep-holes and observation lattices with which they are cunningly equipped. The men and women who are watched through these mysterious apertures speak of the passageways as spy galleries, while the sentinels who keep vigil there call them observation galleries. Whatever name is applied they are an important factor in maintaining the sanctity of the seal on letters dropped into the flood of treasure, of buying and selling proposals, of gossip and lovers' messages that is called the United States mails.

There is a force of about 500 men, the post office inspectors, who alone have access to the observation galleries. It is their job to discover and punish the thieves who sometimes get themselves on the payrolls of the army of honest persons who devote their lives to the mail service. These thieves, however, are not the only criminals with

whom the postal inspectors have to cope. There is a more vicious sort, and often, while my father was alive, his help was enlisted by the post office inspectors when they were trying to trap, and later to convict, one of these latter.

The amazing certitude with which he could identify a culpable piece of writing with another work from the same hand was an invaluable instrument for many post office inspectors. Repeatedly each year he was consulted by them. Most often they sought his aid when they were trying to catch and label the writer of some nasty series of anonymous letters. Sometimes they were after the author of blackmail letters.

The horrible beginning of one of these affairs made a great impression on me at the time. I remember that for once in my life I was really fearful to have Father pursue his profession. Ordinarily in a murder case, or a great fraud, or some affair of like degree, he did not personally betray concern, but from the beginning of the episode of the Forresters he was upset. Ghouls, I should say, are the most dreadful of all criminals.

In a row of cold and oddly assorted structures in the cemetery of a city in western Pennsylvania was one magnificent mausoleum on the lintel of which was carved in letters of stone the name of a man who had been one of the town's distinguished citizens, Kenneth M. Towne. Mr. Towne

had been a railroad man of great wealth and influence. He had been a member of Congress and a friend of Grover Cleveland. Mr. Cleveland had been one of the pall bearers on the day that Mr. Towne's body was laid in the crypt. There rested also in that temple of death Mrs. Towne, her sister and her sister's husband and two other members of the family.

The daughter of the Townes came often to this spot, which was for her a shrine, and placed there armloads of flowers. She was married, the wife of James T. Forrester of that Pennsylvania city.

It was a winter's day in 1911 when word was brought to Mrs. Forrester, at her home, of something that had happened, something so frightful that the messenger hardly could form the words with which to convey to her the news to be delivered. The family mausoleum had been entered by some unidentified persons and robbed.\*

Every one of the five coffins had been tampered with, but when Mrs. Forrester went there she found to her horror that one of the coffins had been carried off. This one had contained the remains of her aunt. There was some evidence that the ghouls had also tried to carry away the coffin that contained the body of Mr. Towne. At a lonely part of the cemetery the police found a spot

\* As in other instances, the names in this case have been intentionally altered to shield the victims of these crimes, and also out of regard for those who, having served sentence, have reformed.

where a section of the fence had been removed. Through that opening the missing coffin had been taken and placed, probably, in a wagon.

After her first shock Mrs. Forrester determined to find the ghouls and punish them. She wanted to hire the best detectives she could get. So she telephoned to New York and consulted with the executors of her father's estate. They advised it would be best for her to hire the nearest detective agency, so as to save time in beginning the hunt. Accordingly she retained a Pittsburgh concern. Immediately thereafter representatives of this organization began to arrive. One came from Pittsburgh, another from Indianapolis and two from Philadelphia.

Several days passed and the detectives were unable to report anything of consequence; nothing, that is, which would suggest that they were likely to discover the identity of the vandals. One of the detectives predicted, however, that Mrs. Forrester had not heard the last of the criminals. She could expect any time, he said, to receive from them a threatening letter. This detective, Eli Hosmer, was a friend of my father. Mr. Hosmer was quite an elderly man and had been retained in a number of cases in which my father was employed.

Sure enough, as Mr. Hosmer had predicted, the threatening letter came. It was handed by the postman to the Forresters' maid.

\$

you leave 50,000  
at 11 p.m. Feb, 28 1911  
at 31 st and Pennsylvania  
avenue or you will  
have your brains  
blowed out Either you  
or your wife If you  
bring any police along  
they will be shot and  
my men will take  
a strong battle.

You



Black Hand



Stein

Facsimile of the second Black Hand letter.

In order to appreciate what feelings were evoked by this letter one should think of the nerve-racking days already experienced by the Forresters. Even in her sleep that poor woman must have fancied she heard the cruel laughter of ghouls—and then to receive this letter!

“Leave \$50,000,” it began, “at 31st Street and Pennsylvania Ave on night of Feb. 29 at 12 P.M. or you will have your mausoleum blown up and if you bring any police on 29th of February my men will shoot them.” This was signed, “Black Hand.”

At the top of the sheet of paper was a postscript, “Or your house will be blown up.”

That document was written on a piece of paper the left-hand edge of which had been torn off all the way down the page, leaving it ragged, uneven. A few days later the frightened family received another Black Hand communication. This one, similarly torn, read as follows:

“You leave \$50,000 at eleven p.m. Feb, 28 1911 at 31st ant Pennsilvanea avenue or you will have your branes blowed out. Either you or your wife. If you brung eny police along they will be shot and my men will take a strong battle.”

This letter also was signed “Black Hand.” Beneath that grim signature was a crude drawing of a skull and cross bones and below that significant device was written: “Deth.”

My father was called into the case by postoffice

inspectors. Immediately he was told of something illuminating that had occurred between the receipt of the first and of the second letters.

Eli Hosmer, the detective acquaintance of my father, had shown the first letter to the postmaster of the city, a gentleman named Sobel, with the comment that it appeared to be the work of an uneducated person.

"I think not," objected Mr. Sobel. "I do not think an uneducated person would have spelled correctly such words as 'Pennsylvania' and 'mausoleum.'" Hosmer held to his point, but when the next letter arrived not only were those two words spelled incorrectly but other and easier words as well.

So it happened that postoffice inspectors who were brought into the case arrested the two detective agency men, Hosmer and Warren. A post-office inspector brought the letter and some specimens of the handwriting of the men under arrest to my father's office in New York. He was, as I have said, made wretched by the case. Mr. Hosmer was an old man and Father had known him a long time.

At the trial the defendants' lawyer thought he had cornered David N. Carvalho because of a certain hesitancy in the manner of this usually correct witness. So, he pressed him hard about some of his responses to questions.

"Why," asked the lawyer, "did it take you so

long to come to a conclusion as to the authorship of these letters?"

Once more Father hesitated. He had explained that he had interrupted his consideration of the disputed writings in order to make a trip into Canada. At last he said:

"Do you want to know the real answer to that question? It is this: One of the defendants is a personal friend of mine. I began work on the case and then dropped it as I studied further. I disliked the work; for I could not believe at first that a friend of mine would do it."

He then gave testimony which showed conclusively that the Black Hand letters were written by the detective, Warren. Hosmer, my father's friend, was completely trapped. He was the only person who had participated in the conversations about the letters with the postmaster and with Mr. and Mrs. Forrester. Warren was sent to the Federal penitentiary at Leavenworth, Kansas, for five years and Hosmer was given a sentence of three years. Both appealed but a higher court affirmed their conviction.

In telling me about that case he said:

"I first selected out of the anonymous writing what I saw to be its real characteristics. I saw, for instance, that the 'ill' when he wrote 'will' always was perfectly made. I decided that those letters belonged to his true writing. Their forma-

tion showed, too, that they had been made by a man who had been well schooled in writing.

"I noted that his 'w' was usually sprawled, but in one place he forgot and made a perfect 'w.' This showed that he knew how. The loops of the 'g' and 'y' were unusually long. In the two missives he only once made another letter cross them. It was characteristic of him to avoid carefully, in the line just below, any entanglement of the two lines of writing. He would go so far in his avoidance of those dangling loops as to write a word clear to the edge of the sheet and so finish it before it reached the loop.

"This was a permanent habit with him, and he was unconscious of it. It was so abnormal in handwriting that I knew it to be his real and not his feigned penmanship.

"I had an abundance of the normal writing of both Warren and Hosmer. It was as easy to identify Warren as the writer of the Black Hand notes as it would be for you to identify one of my photographs; but there was another piece of evidence against Warren. In his pocket when he was arrested in a far distant city the post office inspectors found some torn strips of paper. The edges of two of these sheets matched perfectly the serrated edges of the two Black Hand notes. Why had he saved them?

"I can see a question in your eyes. You wish to

know why these detectives could behave in such a fashion. My dear child, you must remember that private detectives live by means of fears and jealous curiosity. Sometimes it pays them to stimulate the fears of their clients. That is what Hosmer and Warren wished to do. By frightening Mr. and Mrs. Forrester they hoped to be continued in their service."

"That wasn't what I wished to know at all," I objected.

"Well, then?"

"Who were the ghouls? What was their motive for such vile behavior?"

"If Hosmer and Warren had been better detectives I might have been able to tell you the identity of the ghouls. That remains a mystery. As to the motive, that is something equally obscure. It is an offense that occurs only once in a great while. For its performance there is required a blend of insanity and cowardice that is compounded in human skulls infrequently. I can see that you feel a craving for revenge on such enemies of society. If you will just allow yourself to think what terrible dreams must haunt them, you will have that revenge."

From Mrs. Forrester we used to receive a delightful present every autumn, a token of her gratitude to my father for delivering her from the incubus of fear invoked by those Black Hand notes.

## CHAPTER XI

There were many pleasant souvenirs delivered to our home that were identified usually with some secret business that had been dealt with by my father in such a manner as to earn the lasting gratitude of a client. Once, however, because his work was effective, he incurred the enmity of a man who had retained him. For the purpose of the narrative I shall call the man Mr. John K.

This, too, was a case of blackmail. The K. family was socially prominent in New York City and Mr. K. was beginning to make some headway toward the satisfaction of high political ambitions when he was disturbed greatly by the receipt of an anonymous letter demanding \$500. Unless the money was left in a designated spot, Mr. K. was informed in this communication, certain facts about Mrs. K. would be published. Mr. K. was devoted to his wife. Without saying anything to her he deposited the money where his unseen enemy had requested.

A month later he received a second note. The same charges against Mrs. K. were repeated. This time the demand was for \$1,000 and the distracted husband paid the money as before.

"My wife has jealous friends," he explained, "and some one of them, I feel, is doing this. Even though the scandal be without justification it would injure her reputation irreparably if she were made the subject of this kind of gossip. As you see, the letter-writer says she is engaged in an intrigue with a young man. You can imagine what would happen to my career if——"

"Do you believe there is truth——"

"Certainly not," denied Mr. K. coldly. "I know there cannot be any truth in the charges. If I can find the wretch who is responsible and wind my fingers about his throat——"

"Her throat," corrected my father. "A woman wrote these letters."

"Perhaps," agreed Mr. K., "but I'd like to believe it was a man. What do you want from me in the way of assistance?"

"I want you to bring me specimens of the handwriting of every member of your household, even the cook. I want you to go through your wife's writing desk and get me examples of every correspondent on her list. Do not eliminate any one. Allow me to do that."

Mr. K. agreed to do this and returned the next day with a satchel filled with an assortment of letters, receipts, postal cards, check stubs and other data.

"Now," requested David N. Carvalho, "you

sit down here and make a list of these and mark each piece of paper for your own guidance. I do not wish to know the identity of the makers of these various writings. You are the one to know that. If there is in this collection a bit of writing by the author of these blackmail letters, I'll pick it out for you. Then you can inform yourself who wrote the scurrilous notes."

After Mr. K. had gone Father began a meticulous cataloguing of the writings in the satchel. He used an indexing method all his own. Rapidly he discarded paper after paper. Then going for a second time through the few sheets and scraps that remained, he selected a postal card. In fancy, now, I can hear his grunt of triumph as he made his choice.

On one side of the card was a colored picture of the Atlantic City boardwalk, showing rolling chairs and a typical crowd of pleasure seekers wearing the bored expressions that so easily become the habitual masks of people devoting themselves to the work of having a good time. On the other side of this card was a brief message to the one to whom it had been addressed, Fräulein Z., the governess in the K. household. An initial was the only signature.

This card my father placed in an envelope which he addressed to the downtown office of Mr. K. With it he enclosed a short report: "The writer

of this card is also the writer of the two blackmail letters which you submitted to me a few days ago. Respectfully, D. N. C."

The following morning while my father was seated alone before his roll-top desk some one stepped into his office. He heard the snap of the bolt as his door was closed but did not look up because he was writing. Some one crossed the floor quickly and seized him by the throat with fingers that bit like talons.

Father was no weakling. Even when he was an old man he could not bear for any of us to suggest that there had been any physical decay of that body of which he had been so proud as a younger man.

Hunching his shoulders and rising to his feet, he succeeded in throwing off the one who had been trying to choke him. Then he saw who it was—his client Mr. K.

By that time Father's temper was out of control, however, and without pausing for the explanation to which he was entitled he leaped on his client with fists flying. Mr. K., who was no match for him, turned tail. Father did not stop for that, and his stenographer who had appeared in the doorway of her office watched open-mouthed until finally Mr. K. sank into Father's swivel chair, put his head down on his arms and began to sob.

Father's stenographers, after his first who had

served him seven years, never pleased him well enough to remain long in his employ. He was always fearful that one of them would betray him in some fashion, and because of those suspicions he was a bit petulant in his behavior toward them. Invariably he repented after scolding them and gave them candy and flowers. This one had been in his office but a short time. That day she must have thought she was working for a madman.

"Get out of here," he commanded her, "and stay out until I ring for you. And shut that door."

"Now then," he said, turning to the man who sat at his desk, "what is the meaning of this?"

Mr. K. began to shake a finger at Father.

"You have accused my wife of writing those blackmail letters."

"I have accused no one. I accused a piece of paper," retorted Father. "I accused a postal card."

"My wife wrote it."

"Then she wrote the blackmail letters."

At last Mr. K. had to believe. His wife confessed. She had wanted the money for a young man. She had believed her husband was aware of her infatuation and had developed a contempt for him because of his apparent complaisance. She expected him to be an easy blackmail victim because of his political ambitions.

There was a divorce soon afterward and Mr. K. went to Europe, where he has lived ever since.

Always after that experience, clients and other visitors to the office of David N. Carvalho were received standing.

"How can such things happen?" I asked Father one evening when the K. divorce case was spread across the front pages of the newspapers. "These two represented the best blood of the country. Their romance was lovely——"

"When it was a romance," broke in Father. "When you first see green things pushing tiny sprouts above ground in the spring you are moved by that sight. There is an equality then in the garden. Everything is young; but growth is a cruel magician. The corn shoots up and away from the squash. There does not have to be a complete mental equality in marriage any more than there needs to be physical equality but there should be harmony of character. Mr. and Mrs. K. were interested only in each other and in themselves when they were married. Then they began to grow away from each other. One sought the sun and the other wound its ways along the ground."

It was then he told me about the Swami, and the Swami's disciple, Mrs. V. This, too, was an affair of anonymous communications that was not referred to the authorities. It was, moreover, a case that puzzled him almost to distraction until finally the solution fell into his hand. What I am about

to tell is a part of the case that never got into the newspapers.

Mr. V. was an artist nearly twenty years younger than his wife, who was rich and a wee bit eccentric. Father was harsher in his judgment. He said she was a "nut." The Swami was a dark-skinned man with black eyes deep as forest pools. We were told that he was an East Indian. I suppose he was. He could perform amazing parlor tricks, some of which he called demonstrations in the science of breath.

He would invite you to feel his pulse. Placing your finger tips on his dark-skinned wrist you could feel the blood coursing there strongly, insistently. Then, suddenly, the pulsations would cease. There was another trick. The Swami, attired in a clerical coat with a long row of cloth covered buttons that reached from his throat to his knees, would lift his arms high above his head, hold them in that position for a moment and then swing them downward until they almost touched his toes in a deep salaam. As you watched one hand would grow almost purple with the pressure of blood and the other would become pasty white. The Swami told his followers, most of them rich and fashionable women, that he controlled all the natural functions of his body. He said he could breathe through his pores, and if any one expressed doubt he would politely take hold of the doubter's

hand at the wrist and point the fingers of his other hand at the doubter's palm. Indubitably one so held would feel a cool current of air blowing on that palm where the Swami's extended fingers pointed. That is one trick my father could explain. He showed me one time how it was done.

Grasping my hand as if he had been the Swami he held it so until from weariness I allowed my attention to wander. I was very scornful until suddenly I felt a current of air caressing my palm at the ends of my father's fingers. When my eyes opened wide with amazement he laughed.

“You felt the breath coming from my finger tips?”

“I certainly did, but——”

“You certainly did not,” he said. “What you felt was a diverted current of breath that came from my lungs. When you let your eyes drop, I blew my breath on your hand. That Swami is a fake.”

I do not know if Father ever tried to convince Mrs. V. that the Swami was a fake. There was no reason why he should have done so because, after all, it was Mr. V., her artist husband, who had retained him. Mr. V. brought to Father a collection of anonymous letters and asked him to help him identify the author.

The letters made no threats nor did they ask for money. The mysterious writer seemed to be

moved by the pressure of desire to reveal unpleasant facts to the husband of Mrs. V. These letters charged bluntly that the Swami had exercised rather less control over himself than was desirable in a philosopher. The letter writer asserted that Mrs. V. had allowed the Swami to take great liberties with her.

"Has your wife seen these letters?" Father asked the husband.

"I showed them to her," said the husband, and flushed.

"It is, of course, no concern of mine what she said."

"She was made indignant by them," conceded the husband. "She said they were a tissue of lies."

"Well," said Father, "bring me specimens of the writings of every person you have cause to suspect. Get me, if you can, some of the writing of every member of the Swami's household and of every person who lived in your own house. I should like, also, to have specimens of the writing of the other women disciples of the Swami. I suppose there are others?"

"A great many. I don't see how——"

"Have you ever collected autographs?" Father's question must have seemed to be highly irrelevant.

"No, I never have."

"Suppose you start. Get yourself an autograph

album and solicit signatures from all those women who go to the Swami's house."

"There is a reception there to-night—" began Mr. V.

"Just the time and the place," approved Father.

In some respects Mrs. V. was a bold woman. She wore pretentious gowns of daring cut. Her jewelry was extravagant in design and rather vulgar in taste. Much of it was Oriental. When the autograph book and certain other specimens of handwriting were brought to Father he found that she had signed the book with a flourish such as a queen might have applied to a death warrant. The Swami, too, had signed. His was a copy book script. Beneath it he had written a quatrain about the higher life.

"It is none of these," said Father. He was somewhat dejected. "Are you sure you have given me specimens of all the persons tinged with your suspicions?"

"Every one," he said.

By this time Mrs. V. understood that Father was trying to assist her husband to find the author of the notes. Another one had been delivered during the investigation. On several occasions she accompanied her husband to Father's office. A few times they came to our home at Breezy Point.

"By the way, V.," said Father one day, "before

you go to your country place I wish you would give me your address and telephone number."

Accordingly Mr. V. sat down and wrote this memorandum. Father stood at his elbow as he wrote. Suddenly he pointed his finger at Mr. V.'s aristocratic nose.

"You," he said, "wrote those letters yourself. Didn't you?"

Mr. V. laughed nervously and flushed. Then he admitted the charge. He had done so, he said, because he had not dared accuse his wife of infidelity in a more open fashion. Before Mr. V. left his office Father had another specimen of his handwriting. It was a check, a fat one.

"I made him pay something on account of the damage to my self-respect," said Father. "What a trick for a man to indulge in! Just think of the hours I wasted!"

Soon afterward Mr. and Mrs. V. were divorced and the Swami began to teach another disciple, a younger woman than Mrs. V., the meaning of the higher life; but it was years before David N. Carvalho ceased to grumble at the foolish rôle that had been assigned to him in that droll tale.

And yet in the case of Mr. and Mrs. V. I could never understand why the man had been so silly as to spend his money getting the advice of a handwriting expert. One day I asked Father if he could answer that question.

"Easily," he retorted. "Mrs. V. made him do that."

"But you have said she was irrational."

"I said she was a nut," he insisted, "but no woman is ever entirely nutty. I say 'nut' and 'nutty' because I prefer to use the crude classifications of the District Attorney's office rather than the involved and finely shaded meanings of the psychiatrists. Long before I named her husband as the writer of those letters Mrs. V. knew, from some purely feminine reservoir of intelligence, who was the author. It is not uncommon to discover in poison pen cases that the writer has sought to evade suspicion by addressing some of the letters to himself——"

"Or herself?" I suggested.

"Exactly so. It is most often a woman who indulges in this kind of spite work."

He told me once that in many of his cases and those of his colleagues, where the problem was to find the author of a series of anonymous letters, the quest was a narrow one if many persons were receiving the letters.

"Almost invariably in such cases," he said, "the writer of the letters addresses some to herself—or himself. By doing this they hope to escape suspicion. Actually what they do is to lead the search directly into their home, because experience has taught us to hunt the author first among those who are receiving the letters."

One time a fashionable physician in New York consulted Father about some anonymous letters which his wife had been receiving. He delivered the letters to Father and requested him to call on his wife and have a talk with her. He was shown into the lady's boudoir. She was reclining, in a creamy negligée of lace and spider-web silk, on a bed which was made with black silk sheets. The pillows, too, were covered with black silk.

"She was very alluring," said Father afterward, "and I was disturbed when she ordered her maid to close the door as she left us. I asked the lady to write something for me and when I rose to hand her a pen I slyly opened the door. Then I saw her press a button and when the maid reappeared she motioned to her to close the door once more.

"I decided to go at once. I didn't know what her game might be, but when I compared her writing with that in the letters I had a strong suspicion. She had written those letters herself. Just why people are moved to do this I never have been able to understand, unless it is related to that common human attribute of liking to be observed, to desire the centre of the stage. In this instance, though, the woman was trying to make her husband divorce her. I told her husband that she had written the letters. He nodded his head quietly and asked me to go back and tell his wife.

" 'Thank you, Doctor,' I said. 'I think that is your job.' Those black sheets were too much for me."

Diseased minds were responsible for most of the poison pen cases in which David N. Carvalho was consulted. There was one in which a spinster caused a great deal of unhappiness in an Eastern city by means of unsigned letters which she wrote.

She was a lonely creature without the power to attract men. When the new minister of the church which she attended took a room in a house across the street from her home she developed a great interest in his movements. He was a bachelor and good-looking. The ordinary way of expressing what happened to her would be to say that she fell in love with him.

Out on the surface of the ocean conflicting winds encounter one another and a storm results. Those storms can be predicted by meteorologists, but what kind of a scientist is able to warn mankind against the unseen emotional storms that are brewed within the skull cases of defective men and women? This woman with all the hungers of a feminine soul crying out for gratification twisted those normal desires into a hideous mould. Probably the poor creature never has discovered that all of her vicious behavior which finally brought her family notoriety and intense humiliation would have been turned into something milder and

finer if only she could have fallen in love with some one who might have loved her in return.

She began to watch the minister from behind the curtains of her windows. He could not come in so late at night, nor leave so early in the morning that she was not watching. She saw him with anger in her heart escorting young ladies of the parish to gay little parties. That was all right. The trouble was that this spinster's fancy kept on seeing after doors had been closed against her eyes.

What improper things she saw in fancy she began to write in the form of letters addressed to members of the church. As her fury mounted against the unsuspecting preacher she satisfied a growing appetite for revenge by increasing the amount of her writing and the wickedness of her charges.

Even though the minister married an entrancing beauty from another city this curious love burned with a growing intensity. Perhaps it was a feeling turned to acid, but that does not alter the fact that it flowed from the same fountain from which comes love. One young woman of the parish received one hundred letters from the spinster. A number of individuals received scores. Naturally the people in the church were greatly stirred by the unceasing attack on their minister. Then the postoffice inspectors were called into the case.

By a thorough-going examination of the envelopes of all these so-called poison pen letters they were able to establish to their own satisfaction that the spinster was mailing them. The postoffice inspectors have at their disposal an interesting bag of tricks. They can cause a suspected person to buy marked stamps, among other things.

In this case the woman betrayed herself by giving way to her emotions during unguarded moments. Once she leaned from her spy window and hissed as the clergyman passed her home. Several times she had uttered as gossip some of the fanciful matters that she was secretly spreading by means of the unsigned letters. When she was first taken into custody she was asked to write for the postoffice inspectors. The standard of her writing thus obtained was then given to a handwriting expert—a contemporary of Carvalho—and he was satisfied that the right person had been arrested. Father's interest in the case was merely academic.

Because of a flaw in the federal laws, one that has since been corrected, the woman was not convicted but she was nevertheless punished. She was shunned by everybody in her town, which has never since been afflicted by letters such as those she once wrote in profusion.

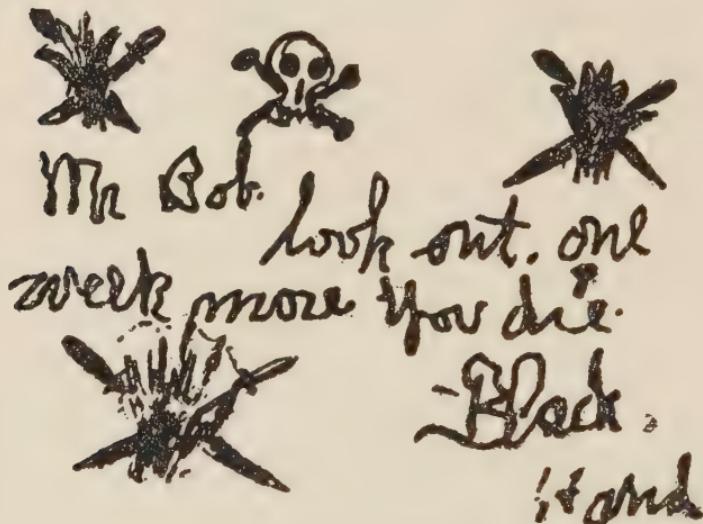
Many times my father was employed in such cases, sometimes by the authorities and sometimes privately. If the writers of such letters were con-

tent to express themselves in this manner once and then stop, few of them would be caught; but most of them keep on and on until finally they betray themselves. When they become suspected it is a simple matter to obtain, by some pretext, a sample of their handwriting. This, given to a handwriting expert along with some of the anonymous writing, is invariably sufficient to establish their guilt.

In the loom mills of the Draper Company at Hopedale, Massachusetts, in 1911, employees were kept in a state of nervous dread for weeks because of a series of threatening letters signed "Black Hand." In these predictions were made that the mills would be blown up, that the owners would be murdered and that certain other dire things would occur. Former Governor Eben S. Draper of Massachusetts was one of the owners of this company. The unidentified writer demanded the discharge of certain foremen in the plant and also directed the Drapers to increase wages in the bobbin department of their mills. Instead, the Drapers retained a private detective agency.

About this time certain acts of sabotage were committed in the mill. A belt, by means of which power was transmitted to the power department, was cut. Several fires were started. There was no doubt in the minds of the Drapers that the name of their enemy was inscribed somewhere on their

payrolls. Detectives were scattered through the mills. They were placed on the payrolls, too, and punched time clocks and followed the routine of the regular employees. Gradually they narrowed



Facsimile of a Black Hand letter.

their list of suspected persons to a few names, and finally to one. This person, a young man employed in the bobbin department, was induced by one he supposed to be, like himself, an ordinary employee of the mills, to do some writing.

These standards for comparison and the two "Black Hand" letters were mailed to Father in New York. He determined that one hand had written both the standards and the anonymous let-



Look out Mr. Draper we no you much longer.  
My friend tell you you have no man look for my  
friend no find him. Look out at that a man.  
my friends they kill him. By By we chott all the watch  
man. If you trap a ~~man~~ watchman we will ~~not~~ blow up  
your dark dam shop. Head of soldiers, police men or.  
We will kill all the man my friend and work in  
weeks if you don't give all the ~~the~~ ~~the~~ man ~~the~~ ~~the~~ man ~~the~~ ~~the~~  
day and fire them. My self we small have guns  
so we will look at in Draper

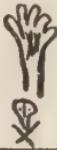
1818



N  
—  
—



Mr Nutt  
unless you make the price in  
your shop better and get rid of master  
godnow and master batson we will  
finisf you and burn down you shop.



Black Hand letter sent to the mill of the Draper Company.

ters, and gave that as his opinion in a written report. The suspect was then arrested and promptly confessed.

“If the anonymous writer of letters will just keep on writing long enough,” my father used to say, “he will not long remain anonymous.”

## CHAPTER XII

Graphology was a word abhorrent to David N. Carvalho. This was so because he was annoyed frequently by persons who could not see the distinction between his position as an expert on disputed documents and that of the unscientific corps of character readers who base their guesses on the handwriting of their subjects.

“Your outstanding character trait,” he wrote in reply to one of the many women who submitted a specimen of her handwriting with a request for him to judge her character, “is gullibility. I know this is so, not from the fashion in which your letters are formed, but from the fact that you have offered to pay me for doing the impossible.”

Until the end of his life my father continued to deny that character was revealed in handwriting. Every case that he handled professionally seemed to me to bear out his contention, and yet the superstition persists and grows. Even when his blood-hound instinct had helped to point unerringly to some person as the author of a crime involving writing, he was often enraged by some loose-thinking person who would assume he had tracked down a criminal because of a hidden flaw of character betrayed by the culprit’s penmanship.

That which his talents permitted him to do best was never demonstrated to better advantage, I think, than in the investigation which began when \$500,000 worth of Liberty Bonds disappeared in 1922.

Officials of a national bank in New York held a most solemn conference on a day late in April of that year. Word had come from a bank in Lynn, Massachusetts, that a half-million dollar bundle of bonds expected from the Blank National Bank had not been delivered. The records of the New York institution indicated that these easily negotiable securities had been sent by mail.

Big banks to-day are always insured against such losses as this one, but there is no form of insurance protection against the wear and tear on the nerves of the executives in a financial institution that has suffered from such a raid. Unspoken fears restrained the tongues of the Blank National officials. At Lynn another and similar conference was in progress and in various insurance offices there were other meetings.

Who was liable for this tremendous loss? One group of insurance companies was liable if the package of bonds had been abstracted from the piles of outgoing mail in the shipping department of the bank itself. Another group of insurance concerns was liable if the theft had occurred while the registered bonds were in the custody of

the postoffice; and yet others if the theft had occurred in the Lynn bank. Not one of the responsible officials in the two banks, in the insurance companies or in the postoffice could rest happily until the time and place of the pilferage had been established.

Then the Blank National Bank received a surprising message from the Blank Bank of Boston. A piece of registered mail had been received there which was puzzling the Boston bank officials. It was contained in one of the long heavy manila envelopes of the Blank National Bank. It had been sealed in the accustomed way of the New York bank, but all that the envelope contained was a thick bundle of waste paper of the approximate dimensions of a packet of bonds.

Here was something tangible! The question of insurance company liability was still to be determined but there was no banker who was not then convinced that the thief, or at least one of the thieves, was a person who had access to the most carefully guarded precincts of the Blank National Bank. If this mysterious criminal could take half a million in bonds why not a million? Or ten millions? The imaginations of bankers are torturing things to their owners in such a time.

Gerald Chapman and his partner, "Dutch" Anderson, were alive and free in that year, and there were other fearsome figures of the underworld

who had been preying on the lines of communication that link the treasures of bank vaults into one reservoir of wealth. Had this pair, or some like desperado, corrupted one of the employees of the bank? Was there an undetected flaw in the mechanism that had been so carefully designed and perfected during the years of the bank's existence?

The newspapers published information about the loss of the \$500,000 bond shipment on their front pages. The newspaper reporters were told that the writing on this bogus bond envelope was the solitary clew by means of which the investigators hoped to discover the identity of at least one of the partners in the enterprise. It seemed to be a very slight clew. What could be done with that envelope?

This question was asked by the reporters who had gone to question a lawyer representing Lloyds, the organized liability market of London.

"The envelope," said the lawyer, "has been placed in the hands of a handwriting expert."

The expert was David N. Carvalho, but I do not believe there were many persons who had much hope that he would be able to name the thief. By that time it was an accepted theory that the thief had prepared the hoax package for the Boston bank as a substitute for a genuine package which had been so addressed. It could reasonably be supposed that the thief had been hurried when

the fake envelope was substituted on the mailing tables for one of the many envelopes prepared for the registered mails. If he had made a mistake it had not mattered much to him because the package he had taken was equally rich in spoil. Each piece of mail was in fact crammed with riches.

There were hundreds of employees in the bank but my father asked for extensive samples of the handwriting of all of them. Naturally some persons there were more liable to suspicion than others by reason of the opportunities their work gave them to be in the vicinity of the mailing rooms. Even so, everybody's writing was collected. By submitting their own, high executives of the bank felt that they would make other loyal employees less sensitive when they should find out that they had been tested.

It required two days for my father to make his comparisons. A great many investigators, private detectives, postoffice inspectors and others were waiting to carry out the assignments that would be given to them as Carvalho made his report.

An important thing to the persons directing the search for the missing bonds and for the thief or thieves who had taken them was to keep secret the nature of my father's report until they had a chance to "cover" all of the suspected persons' associates.

"The man who wrote the address on the regis-

tered envelope sent to the bank in Boston," said my father in his report, "was Charles B. Horn.\*

Horn was believed at the bank to be above suspicion. He had been hired as a guard because he had been able to convince one of the bank officials that he was accustomed to firearms. He had been in the army, he had been a cowboy, a fur trader in Alaska, and finally he had been clothed in the authority of a territorial policeman in Arizona. Some of this man's superiors in the bank had enjoyed listening to him tell of his adventures. Horn, they thought, was a kind of Zane Grey hero brought to Wall Street. When they saw Bill Hart with his long upper lip, his scowl and his ivory-handled forty-fives strutting across the screen of a motion picture theatre, they thought, with comfort, of their own private Western hero Charles Horn.

For a time some of them refused to accept Carvalho's judgment, but \$500,000 is a lot of money and so Horn was kept under the eyes of detectives. Horn supposed those detectives were merely fellow employees. In such a big bank not all of the vice-presidents really know each other. Outside the bank other detectives were making inquiries about the associates of the suspected man. They discovered that he was living at a house in Forty-ninth street, a typical, outmoded brownstone resi-

\*The real names of the culprits in this case have been disguised.

dence. Among the other persons living with him there were a Mr. and Mrs. Louis Evans. Evans was a former employee of the Blank National Bank. His wife was a singer whose appearances had been made under a stage name.

The investigators discovered that two days after the theft of the bonds, Evans had left town. Now they had two persons to watch, Horn and Mrs. Evans, and a third one to find, the missing husband. Something like instinct told the detectives that when they found Evans they would also find the stolen bonds. It was about this time that Horn mailed a letter to St. Augustine, Florida. It was addressed to Evans, but hours before it was delivered that gentleman had acquired a shadow, what private detectives speak of as a "tail." His hotel room was searched but nothing was found which by any stretch of the imagination of his stalkers would serve to link him with the robbery.

One evening a few days afterward Horn escorted Mrs. Evans to the Pennsylvania railroad station. There are many ticket windows there but quite often there is a line of travellers before each window waiting to be served. The man who stood in line behind Mrs. Evans had seen her buy a ticket to Savannah, Georgia. It was assumed then that she was planning to join her husband in that city. Still no move was made. Always the directors of this secret hunt kept reminding their

subordinates against frightening any one of the three who were being shadowed.

When Mrs. Evans several days later boarded a train for Savannah six detectives were fellow passengers, but she was totally unconscious of them. Evans greeted his wife when she stepped from the train in the station at Savannah. They went directly to the Savannah House, where Evans wrote on the register, "Mr. and Mrs. James Lindley."

In New York other detectives had been watching the apartment recently deserted by the couple but still occupied by Horn, the hard-working bank clerk.

Ink stains on a blotter in that room had been examined by my father under a powerful glass which disclosed to him writing in reverse, which, when held before a mirror, cast a reflection of this significant phrase, "throw away the key to the safe deposit box." Beyond doubt this was part of the message contained in a letter from Horn to Evans. If the bonds were already in a safe-deposit box no good purpose would be served by longer delay in making arrests.

Accordingly a message was telegraphed to the chief of the group that was watching the couple in Savannah. Quite promptly after its receipt the half dozen men who had travelled southward with Mrs. Evans burst into the room shared by the woman and her husband.

A search of Evans's clothing resulted in the finding of about \$20,000 in bills and a key, one of those long, flat steel keys such as are given to the holders of private safes by safe-deposit companies. The detectives were confident, and justifiably so, that the key fitted a lock in one of the strong boxes of a St. Augustine safe-deposit company. An exchange of telegrams resulted in an almost immediate identification of the particular safe that Evans had leased before he had been found by the detectives. An order from a Florida court was sufficient authority for the opening of the box. In it were found a passport for Evans (indicative of his intention to leave the country) and \$443,000 worth of the stolen bonds.

There was now no use in delaying further the arrest of Charles Horn, who was giving pains-taking attention to his work in a cage in the bank; but Horn had been hired because of his skill with firearms. He was a two-gun man and because of his duties in the bank his hand was never more than six inches from the hard rubber butt of a pistol. His arrest was, as one of the bank officials said, "a ticklish matter."

It was accomplished, however, with absurd ease. The former Arizona policeman was asked to leave his cage to attend to some work. Unsuspectingly he walked out of the cage, and, as required by the rules of the bank, closed the grilled

door behind him, snapping the lock. His guns were inside! The next thing Horn knew he was looking into the barrels of several revolvers and when he heard a sharp command he lifted his hands awkwardly above his head.

After hours of questioning, but only after he had been convinced that his accomplices were under arrest and that the major portion of the stolen bonds had been recovered, Horn consented to tell all about the robbery.

Horn told a vice-president of the bank that the robbery was his own scheme. He had lived with the Evanses for six months and had broached the subject to them only when he had made sure that they would be sympathetic with any proposal that promised sudden and abundant riches. The actual robbery was to be a one-man job, but he needed assistants who would secrete, and later dispose of, the bonds he planned to take. His plan for getting the bonds was in no way complicated.

Although it was no part of Horn's duty to touch the securities over which he kept guard he showed such eagerness to advance himself in the bank, such willingness to perform any slight task that was offered that he found a way to touch them. The mail clerks found him likable. He had served in France. They enjoyed his casual references to his adventures in the army that put down the Philippine insurrection following the Spanish

American war; they gasped at his thrilling little anecdotes of fights with bandits along the Mexican border when he served in the regular army there; they grinned appreciatively as he gossiped of fur-trading adventures in Alaska and of violent experiences in the territorial police of Arizona or sang a verse of some cowboy ballad. Moreover, they were glad of his assistance in putting stamps on the sackfuls of registered mail that left the bank at the close of each day's business. They were no more suspicious of him than they were of themselves, and bank employees generally are as impersonal in handling the wealth of the institutions they serve as if the crisp paper were so much ordinary merchandise.

Horn went over the plan in his mind a score of times before he actually prepared his substitute package. He needed this so that the number of registered shipments would correspond with the record of the outgoing mail. Then with his back to the other clerks he slipped one of the fat envelopes into a deep pocket inside his waistcoat and placed stamps on his previously prepared envelope containing waste paper. That was all there was to it.

Mrs. Evans confessed, too. She told of carrying some of the bonds that were unaccounted for to the offices of a Broadway diamond dealer who had promised to find a customer for them. In a

dark hallway near that man's office, she said, she had been robbed but had not dared to complain to the police. Altogether the detectives recovered about \$463,000 worth of the stolen securities.

Horn and Evans pleaded guilty to grand larceny in the first degree and were sentenced to serve from four to eight years in Sing Sing. Mrs. Evans was allowed to plead guilty to the lesser charge of receiving stolen property. She was sentenced to serve from one and a half to three years in Auburn prison. She fainted in the court room but after being carried out became hysterical. She tried to stab herself with a hat pin, but was disarmed before she had injured herself.

“Identity,” said my father, “was the all-important thing to be determined in that case. That envelope and the standards for comparison which were given to me contained, for understanding eyes, the name of the culprit; but there was nothing in the guilty man's penmanship which suggested that he was a criminal character. His identity was all the detectives wished to learn. They knew he was a criminal before they knew his name.”

## CHAPTER XIII

Herr Max Immelman came to New York in 1923 escorted by a press agent who announced that his patron was a graphologist possessing amazing talents. If a fraction of the powers credited to Herr Immelman had been his, really, he would, indeed, have been a great man. David N. Carvalho, who had devoted all his mature years to the study of handwriting, was openly contemptuous of this individual who called himself a graphologist.

If you would only give Herr Immelman a specimen of your handwriting, the press agent invited you to believe, this fat and sleepy-eyed Pole could tell more about your physical condition than you could learn by submitting a specimen of your blood to a group of eminent physicians. In the same glance at your handwriting, which was supposed to reveal to Herr Immelman whatever diseases might be gnawing at your system, he could tell as much about your character as if he had dwelt with you for years; he could tell your past and future. In short, if the press agent's assertions were credible, Herr Immelman was an extraordinarily gifted fortune teller.

“Bunk,” said my father. He had been reading about the graphologist in the morning newspapers. Shortly afterward one of my friends who had been to see Herr Immelman brought an eye witness account of the manner in which this alien visitor worked.

This gentleman had called on the graphologist at the Waldorf-Astoria Hotel. He had been skeptical, he insisted, but what had occurred then certainly had amazed him. Because he knew the press agent, this gentleman had been readily admitted to the presence of Herr Immelman. It was in the late afternoon and the graphologist was stretched out on a gilded sofa napping.

Rubbing his eyes and yawning, he extended a soft, pudgy hand and clicked his heels in the manner of an Austrian conscript. The press agent spoke in German, which my friend could not understand. Presently my friend produced a sheet of paper on which were written a few sentences without important meaning. The press agent received this and asked a question.

“Who wrote it?”

My friend mentioned a name, one that was known to the press agent. The owner of that name was prominent in New York, a rotund man with protuberant blue eyes.

The press agent passed the bit of writing to the graphologist, who stopped yawning to make a

sharp inquiry in German. The press agent responded in crisp gutturals. Immediately Herr Immelman glanced at the paper which he held in his right hand. His left hand he raised to his eye in a peculiar manner and promptly burst into a volley of German.

"He says," interpreted the press agent, "that the writer of this is a man with bulging eyes. He speaks of him as a 'frog-eyed' man."

The graphologist made other comments which were interpreted by the press agent, but my friend was too amazed to pay close attention.

We listened to this account silently. I was impressed deeply until Father began to speak. He fairly sputtered condemnation. "Charlatan," "nonsense," "Barnum," "trickery" and other words of like connotation fell from his lips.

"Well," challenged our visitor, "explain how he knew that the man whose writing I submitted was pop-eyed?"

I am sure the clinical specimen could have been no more pop-eyed than than Father.

"You, yourself," he said, almost violently, "explained that. The press agent told him. The press agent probably is a full partner in the expedition that brings the man to this country. Is it fair to suppose that they have a code? Listen: There is nothing to prevent a man who wishes to make a living telling fortunes from calling himself a

graphologist, an astrologer, a spiritualistic medium, a Swami, a Yogi or any other kind of an 'ist' or 'ologer'!

"I do not doubt for a minute that the so-called graphologist is smarter by far than the bulk of those who go to consult him. The next time you go to see him invite Houdini [who was then alive] to go with you. Houdini could tell you how he works. Houdini, I'd bet, could duplicate any feat this fellow performs. That's what he is giving—a performance, a performance that has no more to do with science than if it were the lecture of a tent-show medicine man."

"Don't get yourself into such a temper, Father," I implored him. Then in the hope of easing the pressure of his rage I asked:

"Why do you say, 'a so-called graphologist'?"

Father sighed heavily, and then began to explain to me in the labored manner of an Einstein speaking to a kindergarten pupil.

"The dictionary," he began, "will inform you that graphology is the study of handwriting regarded as an expression of the character of the writer. There are people who choose to believe that it is a science. I believe it is nonsense."

He took a long breath and resumed: "The only thing that handwriting can be counted upon to reveal is the writer's identity. This is the conclusion of my long experience. I have had the plea-

sure, so to speak, of sending thousands of forgers to state's prison. Yet, with all my study of their penmanship, I never learned an important thing about their characters.

"Sometimes—yet only sometimes—handwriting throws a little light upon the nature of a man's mind; it never tells anything worth while about his character nor anything important about his diseases or his history.

"What do we mean by character? Do we mean a man's traits according to his general reputation? Or do we mean that which a man is in his heart? When I say 'character' I mean precisely that. I mean something that represents the sum of the abilities, the purposes and the habits of the individual. In five minutes I can demonstrate to any one that those who believe they can perceive more than identity in handwriting are deluding themselves.

"Edgar Allan Poe was a reckless, dissolute genius but the holographic records left to us seem to have been written by a well-ordered, self-controlled person with a passion for system. His handwriting is clear and regular. Most of the letters are carefully joined. Perhaps his love of beauty is reflected there, but that is all that is significant.

"What would a graphologist say of Napoleon's character judging from his signature? Would

any one expect to find the writer of such a small and jumbled stream of ink one of the greatest figures in recent history?

"How do the graphologists reconcile their pre-

*With me wron nevermore.*

never flitting, still is sitting — still is sitting  
t of Dalias just above my chamber door.  
me all the seeming of a demon's that is dreaming,  
ight o'er him streaming throws his shadow on the floor;  
n out that shadow that lies floating on the floor

*Shall be lifted — nevermore.*

Edgar A. Poe.

*S. A. Whittaker*

*ayville*

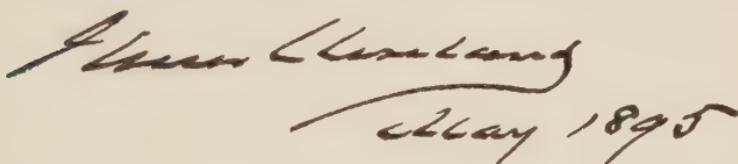
Poe's writing was clear and regular.

dictions with the facts when you show them the awful thing that was the signature of William Shakespeare? Concerning that individual's hand-writing and his reputation as a most prolific writer I have strong opinions, but I warrant that any one who endeavored to judge Shakespeare by the standards of the graphologists would slander him."

It was a source of amusement to Father to be able to prove that character and handwriting are not closely linked. Once he showed me a specimen of handwriting neat almost to the point of being feminine. Yet it appeared to be the work of some one unused to writing.

"Who wrote it?" I asked.

"Grover Cleveland," he said, "and I can tell you that this piece of handwriting tells about as much



A handwritten signature in cursive script, appearing to read "Grover Cleveland", is written above a date. The date "May 1895" is written below the signature, with a curved line or flourish extending from the end of the signature towards the date.

about the disposition of that man who was twice president of the United States as a piece of beef tells you about the man that owned the cow from which it was carved. If I were guessing I would say this was the penmanship of a man who was crabbed, small in size and totally unimportant. But I am not guessing. I know Grover Cleveland. I know he was large physically and mentally.

"In one case of forgery I was obliged to make a careful study of the handwriting of Mr. Cleveland. Except when using a very coarse pen Mr. Cleveland wrote a light, delicate, almost a feminine hand. McKinley, who moved into the White House as Cleveland moved out, wrote a big, slath-

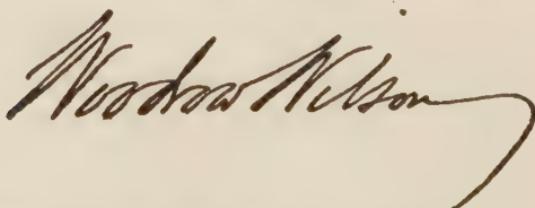
ering hand, widely different from that of Cleveland. Theodore Roosevelt, who was beyond any

## *Theodore Roosevelt*

question a leader of men, wrote a slouchy hand not at all like Cleveland.

"It does not disturb me that people insist upon deluding themselves as to the hidden things revealed by handwriting. What does disturb me is that the charlatans who tell fortunes with handwriting are retarding the general acceptance of the scientific use of handwriting as a means of establishing the identity of the authors of disputed documents. Identity—that is the important thing.

"A man signs his will; by that act he disposes of all his wealth. It is vital to our civilization that this curiously detachable bit of our personality which is called handwriting be shielded by all

A handwritten signature in cursive script, appearing to read "Woodrow Wilson". The signature is fluid and expressive, with a large, sweeping flourish at the end.

the force of law and public opinion from imposture. A governor signs a decree extending the life of one who is condemned; by that act he makes

concrete a bit of that precious authority with which the people have entrusted him. A man writes on a bit of paper called a check; by that act he directs the custodian of one of his reservoirs of wealth—his banker—to pay a sum of money to a debtor. The common sense of people tells them that a man's signature is a detached part of the man; and science—my science—confirms their faith. Handwriting has little more to do with character than finger prints. Like finger prints, though, it is an infallible means of fixing identity."

Again and again I have heard my father recite his belief, his faith in the sureness of identification by means of handwriting. Again and again I have heard him exclaim impatiently against the claims of graphologists.

"What," he would ask, "can a graphologist detect in the natural copy-book writing of a skilful forger? A forger is a thief, a selfish, deceitful fraud; but the natural handwriting of most of those I have studied has been beautiful. In fact, a skill in penmanship very often has been the thing that has transformed an apparently honest man into a crook. You remember my chauffeur?"

This chauffeur was a young man named Alfred. He had left Baden, Germany, where he was born, to seek his fortune in the United States. A mother and four sisters were left in the old country somewhat dependent upon the young man. Alfred

after his arrival in New York finally was engaged by my father to drive his car.

Father's collections at the house consisted not only of many rare manuscripts, illuminated parchments and other ancient documents but also thousands of specimens of handwriting of the people of his time. In his sight any scrap of writing was interesting. No matter who had written it, no matter how inane the message, there was sure to be in it for him some pattern with a special meaning.

Another collection at the house included every conceivable kind of bank check. Father had patented several forms of safety paper for bank use and was constantly striving to devise a kind of paper that would not be susceptible to the tricks of forgers. Alfred's duties were not sufficiently heavy for his own good, I suppose, and he spent some of his idle hours looking through those collections at the house.

The *leit motif* in the letters that came to him from Germany was a sad expression of his mother's and sisters' need of money, money, money. I imagine he sent as much as he could but this was insufficient and, then, too, he wished to be married. Unless he married he might lose forever the society of a girl with whom he had fallen in love. Marriage was the way to secure her to him and marriage meant more money.

Alfred was attached to a household where handwriting was often the topic of conversation. No doubt as he drove my father and some friends, client or lawyer, his ears were strained to catch scraps of their talk, tiny fragments of information about the tricks of forgers. Most young men would have distilled from such opportunities a clear understanding of the savage penalties that are inflicted on the professional forger; but Alfred was thinking only of his great need for money.

Among the signatures in my father's collection was that of an importer. One day Alfred walked into a bank in Fifth Avenue and pushed through the grilled window a slip of paper instructing the bank to pay to bearer \$10. It was signed with the name of one of the bank's depositors, the importer. The paying teller gave it a glance and asked just one question.

“How will you have it?”

“Two fives,” requested Alfred, and glowed with a thrill such as he had never before experienced.

Naturally he tried it again and yet again. The third time the teller motioned for one of the bank watchmen to approach his window. Alfred was seized and taken to jail. He pleaded guilty and was sent to a reformatory.

“Certain kinds of people,” said Father to me after he had succeeded in getting another chauffeur, “never lose their faith in fairy stories. If

you will stop to think about it there is something immoral, judged by present-day canons, in accepting the gifts of a fairy or a genie who happens to be the slave of a lamp. Good fairy stories are always a compound of legends. They grow best where people have had to work from dawn to dark for the means of bare existence. The Brothers Grimm in compiling that book of fairy stories which was your favorite were simply setting down on paper stories that had been told thousands of times in the huts of middle-European peasants. They were told by hard-working people as a means of escape from the drudgery of their regular existence. I like fairy stories, too, but if some time a fairy should offer to give me a million dollars I should be inclined to say: 'Hold on there! where did you get all this money?'

"If you will accept my word for it every one who ever took a handsome gift from a fairy was a receiver of stolen property."

"You are joking," I protested.

"Perhaps I am," he conceded, "but nevertheless I believe that forgers are men who have determined to be their own good fairies. You cannot recall Charles Becker?"

I shook my head. The name meant nothing to me.

"Think of that now," he said in mock reproof. "What is fame after all when the daughter of the

'great Carvalho' (he took a deep bow, playfully) cannot recall the name of her father's greatest opponent. For years Becker was at the head of his 'profession' in the country. He was the most skilful of all the criminal penmen with whom I have come in contact. As an all-around imitator of the writing of others and as a cheating manipulator of monetary instruments I do not believe he ever had an equal.

"Forgery is an art and, however much we may condemn the practice, I must insist that the best forgers have been artists. This man Becker was an artist. When I last talked with him he was in San Quentin prison across the bay from San Francisco. I went there to visit him and to talk about his amazing skill. I took some cigars along and we had a talk such as may be indulged in by warriors after their battles have been fought to a conclusion.

"In me Becker had an audience capable of appreciating his art.

"Tell me,' I said to him, 'how did you manage to fool so many bankers for so many years? The introduction of safety papers, cutting punches, modern inks, perforators and other mechanical devices seems to have helped, rather than hindered your activities. How do you account for your success?'

"Becker smiled broadly. He was an old man

then and prison life had changed his appearance. His face was like a mask fashioned out of a sheet of that ancient parchment in my collection. It had the look of pale, yellow, long-dead skin. 'I'll tell you,' he said, 'the more mechanical protection the banks get the easier they become for a fellow like myself. Protective devices make them careless.'

"Yes," I agreed, "but there is only one Becker. How do you account for your unique skill?"

"I'll tell you in a sentence," he replied. "I had a world of patience, a heap of time, good inks, an obedient hand and a splendid set of teeth."

"Teeth?" I repeated questioningly.

"Sure," he said. "My teeth were the stones in my paper mill. I made the paper with which I filled in perforations by chewing to a pulp paper of similar manufacture."

Father had examined a number of the forged checks executed by Becker. He said that even under a magnifying glass it was difficult to detect the alterations that had been made by this perverted genius. In the forgery that resulted in the capture, conviction and final sentencing of Becker to life imprisonment, he had raised a bank draft for \$12 to one for \$22,000.

His method in that case (1895) was to establish himself under the name of A. H. Dean in an office in the Chronicle Building in San Francisco and then to open an account with the bank of

Nevada, depositing \$2,500. He drew out money and redeposited it until the bank clerks had grown accustomed to his appearance at the windows of their cages. Then, one day, he deposited a \$22,000 draft of the Bank of Woodland, California, on its San Francisco correspondent, the Crocker-Woolworth bank. The next day he drew out \$20,000. It was given to him in gold coins contained in four canvas bags. An employee of the bank carried these to the curb where "Mr. Dean" had a carriage waiting.

"Mr. Dean" never came back, but at the end of the month, when the Crocker-Woolworth bank made returns to the Bank of Woodland and included the draft of \$22,000, the fraud was discovered.

A firm of private detectives finally caught Becker when two of his associates, who had been taken into custody, betrayed him. When Becker was completely broken in health he was released from prison. He said he had reformed but he was nevertheless kept under surveillance by detectives.

"But why," I asked my father, "do you associate Becker with fairy tales?"

"I thought I had made that clear," he said impatiently. "Becker was sufficiently intelligent and skilful to have made an excellent living honestly. He could have been paper manufacturer, painter, engraver or even a successful merchant. That sort

of success did not appeal to him. It was too dull. He wanted wealth to fall into his lap as from the wand of a fairy. There was something more, something involving his ego. He was as vain of his craft as if he had been a great painter. When he succeeded in fooling a banker with one of his forged documents he was as deeply satisfied as is an actor by praise from the critics."

This was a feeling that David N. Carvalho could sympathize with because it was an influence that strangely governed his own life. His father, Solomon N. Carvalho, had been an artist of sufficient note in his time to be taken by General John C. Fremont on his expedition across the Rockies. Grandfather went with Fremont as the artist of the expedition. They were lost for six months and mourned as dead. They finally reached California. We believe in our family that he was the first ever to try to put the beauty of the Grand Canyon on canvas. My father, too, had started his career as a photographer at a time when all photographers wore flaring black silk ties, wide black slouch hats and in other ways sought to have themselves associated in the public's mind with art rather than science.

Color in his eyes was never just a physical reaction but was instead a living chapter in history. If I came to dinner in a red frock this was sufficient to start his memory on a train that carried him forty centuries into the past.

"Purple and fine raiment," he would quote as I sat down.

"It isn't purple at all," I would dispute.

"Much you know about it," he would say teasingly. "Purple in ancient writing does not denote any particular color. Purple was associated with the dress of kings, with royalty and majesty. As to its color, Tyrian purple that is, you may see it to-day on the floor of a slaughter house where the blood of bulls has coagulated. In references to the color of cold blood the ancients have recorded for us a clear understanding of the shade of that purple dyestuff of the Phœnicians.

"Tyrian purples were obtained from *purpurea*, a shell-fish, and those taken on the Phœnician coast yielded scarlet shades of wonderful intensity."

"Who told you that?" I challenged him one time.

"Pliny," he said crushingly. "Pliny the Younger."

He could talk in that manner for hours, reciting the curious recipes with which the ancients contrived their dyestuffs. He knew that the Egyptians in the time of the Pharaohs were staining temple walls blue with a pigment made of cobalt. He knew of another blue which they made from an oxide of copper, and that their fabrics were dyed blue by means of *pastel-wood*. History for my father never was a drab recital of dates and

battles and kings' names. One time he made a trip to the Metropolitan Museum of Art because he had heard that a mummy there was encased in wrappings blue with indigo.

"What does it matter?" I questioned, when he spoke of it.

"They must have gotten that indigo from India," he replied. "Part of the journey it was borne by elephants and part by camels. What better bridge does your imagination require to carry it over into the past? Why, the thought is enough to evoke racial memories of the sound of camel bells, of the clatter of spear heads against brazen shields, of caravanseries fragrant with wood smoke and the dung of horses, of the gossip of trade, of slave markets. Think of that now, indigo in Egypt forty-five hundred years ago and Europe never saw the color until the sixteenth century.

So he might talk of madder, of mimium, red ochre, Chinese vermillion, the alchiber ink wafers of the Arabs, of cinnabar and sepia. Imagine then the magic knowledge he could bring to bear on some clumsy forger who thought that ink was just ink. Whether the case involved a few dollars or a million his investigation and testimony were made and given with the same attention to detail.

I remember one time when he was brought into a case in which it was alleged that a note for \$7 had been altered to make it appear that it was for

\$75. The prisoner was a private detective. The complaining witness was his landlady who contended that she had given him a \$7 note for "legal services" and that he had changed it to one for \$75 for "plumbing repairs and boiler."

Facing the twelve men of the jury, Father drew up the sleeves of his frock coat with a fastidious gesture. They had just examined the note which certainly appeared then to be an honest instrument calling for a payment of \$75.

"The writing on this shows me," he told them, "that the word 'seven' was written with one kind of black ink and that the 'ty-five' appearing after it, was written with another kind of ink. I think I am safe in asserting that certain words have been eradicated and others put in their places. I am willing to make my test right here in court."

He turned to face the judge, who nodded acquiescence.

"Eradicating ink," he resumed, "is simply a bleaching process that leaves the iron as a white oxide instead of a black oxide. The proper reagent will restore the original color. Now, observe!"

In a manner as dramatic as an old-time actor, he drew from his pocket a small vial that contained sulphide of ammonia. With a sponge lightly impregnated with this fluid he then proceeded to brush the surface of the note. He breathed on the moistened paper, watched it for a moment and

then handed it to the foreman of the jury. The others in the jury craned their necks to see.

The application of sulphide of ammonia had brought out on this modern palimpsest writing that the jurors had not previously been able to see. Faintly outlined but distinguishable were the words "drawing legal papers." The prisoner, who was sent to Sing Sing, must have felt like the victim of some mediæval trial by ordeal and yet there was a sureness about the evidence given by Carvalho that had a grateful flavor to the judges and jurors who sat in judgment upon those against whom he testified.

## CHAPTER XIV

One day my father came home with a satchel stuffed with waste paper, some of it in scraps so tiny that when he sifted it through his fingers it fluttered to the surface of his desk like snowflakes. I noticed that a certain order obtained in this litter. It was assorted into big, fibre envelopes, each of which could be identified by a distinctive white label on which was written a date. There were about thirty of these containers and the dates, in sequence, represented a month of time.

“What stuff is this?” I asked him, my house-keeping instinct aroused defensively. “What are you going to do with it?”

“A magician’s trick,” he said. “Instead of being content with extracting a rabbit from a hat I am going to attempt to do something much more spectacular. These scraps of paper will enable me to conduct a test of a woman’s fidelity. If you watch me closely—” he proceeded to pull his coat sleeves back from his wrists playfully—“you may see me pull a divorce out of a waste basket.”

I not only watched; I helped him. We worked many hours a day for several days, reconstructing the written souvenirs of a month of a woman’s life. The crumpled sheets of paper which merely

had to be smoothed were of little interest to him; but the ones that had been torn into very small pieces held his attention.

"She tore these because she did not want them to be read by other eyes than hers," he said. Then, slowly, with the utmost patience he would arrange the pieces on a sheet of transparent tracing paper. When this mosaic was complete he would fix each tiny scrap in place with mucilage.

"The husband," he explained as we worked, "is several times a millionaire. The wife is extravagant, selfish and socially indiscreet."

"I don't care," I protested, "I think the husband is a mean wretch to spy upon his wife in this manner. I'm surprised that you accept this type of case."

That made him angry. He pushed the papers away from him.

"Would you criticize the judge who sat in a divorce case? Would you criticize the attorney who defended a client who was being sued for divorce? Of course you would not. Suppose this rich man went into court and made charges against his wife which he could not sustain. Then, I grant you, he *would* be a wretch."

"Well," I persisted, "it seems to me the men invariably get the better of it in these situations. I'll bet he isn't chaperoned during all the hours of the day that he is shut up in a private office

March 15/19 15:11 P.M. March 24/19 <sup>h.d.</sup>  
K. 10. <sup>33.</sup>

A.2. Mr. B. C. J. D. Mr. C. J. E. Mr. F. G. Mr. G. J. F.  
A.3. Mr. H. R. J. G. Mr. J. H. J. G. Mr. K. J. G. Mr. L. J. G.  
A.4. Mr. M. J. G. Mr. N. J. G. Mr. O. J. G. Mr. P. J. G.  
A.5. Mr. Q. J. G. Mr. R. J. G. Mr. S. J. G. Mr. T. J. G.  
A.6. Mr. U. J. G. Mr. V. J. G. Mr. W. J. G. Mr. X. J. G.  
A.7. Mr. Y. J. G. Mr. Z. J. G. Mr. A. J. G. Mr. B. J. G.  
A.8. Mr. C. J. G. Mr. D. J. G. Mr. E. J. G. Mr. F. J. G.  
A.9. Mr. G. J. G. Mr. H. J. G. Mr. I. J. G. Mr. J. J. G.  
A.10. Mr. K. J. G. Mr. L. J. G. Mr. M. J. G. Mr. N. J. G.  
A.11. Mr. O. J. G. Mr. P. J. G. Mr. Q. J. G. Mr. R. J. G.  
A.12. Mr. S. J. G. Mr. T. J. G. Mr. U. J. G. Mr. V. J. G.  
A.13. Mr. W. J. G. Mr. X. J. G. Mr. Y. J. G. Mr. Z. J. G.  
A.14. Mr. A. J. G. Mr. B. J. G. Mr. C. J. G. Mr. D. J. G.  
A.15. Mr. E. J. G. Mr. F. J. G. Mr. G. J. G. Mr. H. J. G.  
A.16. Mr. I. J. G. Mr. J. J. G. Mr. K. J. G. Mr. L. J. G.  
A.17. Mr. M. J. G. Mr. N. J. G. Mr. O. J. G. Mr. P. J. G.  
A.18. Mr. Q. J. G. Mr. R. J. G. Mr. S. J. G. Mr. T. J. G.  
A.19. Mr. U. J. G. Mr. V. J. G. Mr. W. J. G. Mr. X. J. G.  
A.20. Mr. Y. J. G. Mr. Z. J. G. Mr. A. J. G. Mr. B. J. G.  
A.21. Mr. C. J. G. Mr. D. J. G. Mr. E. J. G. Mr. F. J. G.  
A.22. Mr. G. J. G. Mr. H. J. G. Mr. I. J. G. Mr. J. J. G.  
A.23. Mr. K. J. G. Mr. L. J. G. Mr. M. J. G. Mr. N. J. G.  
A.24. Mr. O. J. G. Mr. P. J. G. Mr. Q. J. G. Mr. R. J. G.  
A.25. Mr. S. J. G. Mr. T. J. G. Mr. U. J. G. Mr. V. J. G.  
A.26. Mr. W. J. G. Mr. X. J. G. Mr. Y. J. G. Mr. Z. J. G.  
A.27. Mr. A. J. G. Mr. B. J. G. Mr. C. J. G. Mr. D. J. G.  
A.28. Mr. E. J. G. Mr. F. J. G. Mr. G. J. G. Mr. H. J. G.  
A.29. Mr. I. J. G. Mr. J. J. G. Mr. K. J. G. Mr. L. J. G.  
A.30. Mr. M. J. G. Mr. N. J. G. Mr. O. J. G. Mr. P. J. G.  
A.31. Mr. Q. J. G. Mr. R. J. G. Mr. S. J. G. Mr. T. J. G.  
A.32. Mr. U. J. G. Mr. V. J. G. Mr. W. J. G. Mr. X. J. G.  
A.33. Mr. Y. J. G. Mr. Z. J. G. Mr. A. J. G. Mr. B. J. G.

Exhibit numbers A. B. C. D. E. questioned all others  
are conceded handwriting of the defendant. Chart #1.

A portion of one of Mr. Carvalho's work-sheets.

Bits of writing conceded to be that of the defendant have been placed for comparison beside corresponding  
fragments of the writing in question.



with a good-looking, blonde secretary. Why can't he give his wife credit for a disposition to behave in equal measure with himself?"

"See here," he said, "you must realize that no matter how a husband may conduct himself, he cannot deprive his wife of the comfort which comes from knowing her children to be her own; but if she is even indiscreet she may cause him years of pain and unhappiness, because she may awaken a doubt in his mind as to the paternity of the children which are supposedly his own flesh and blood. You could argue for a hundred years about the injustice of a double standard of morals, but you could not undo the biological fact which is responsible for its existence."

"That does not excuse men," I contended.

"Have I said that it does?" he countered. "What I am trying to tell you is that the law confers some splendid rights on a mother who so conducts herself that her children are presumptively the offspring of her husband. There is no more contemptible human object than a husband who blinks at his wife's infidelity. Here we are dealing with a husband who feels that his wife has given him grounds for, at least, the right to be suspicious. Instead of balancing the situation by growing sulky or himself being unfaithful to her, he employs a ready means of confirming, or abolishing, his suspicions.

"As for my part in this matter, I can no more refuse to accept this kind of work than a physician may refuse to treat a patient with a loathesome disease. Personally, it seems to me that this is a kinder way to obtain evidence for a divorce than is ordinarily employed. Do you think she would prefer to be followed by detectives until she was trapped in a humiliating situation?"

When we had completed the reconstruction of the torn letters it developed that none bore signatures, but the husband had provided Father with samples of the writing of the man with whom he suspected his wife was engaged in an intrigue. It was apparent even to me that the hand which had written the specimens had also written the passionately phrased letters that we had pieced together.

Sometime afterward the husband sued for a divorce. Father testified and the marriage was dissolved. I felt uncomfortable about the affair—and said so.

"I feel as you do," he confessed to my surprise, "but not for the same reason. In this instance the husband induced one of his household servants to collect the contents of his wife's boudoir waste basket for a month. You read her lover's messages. No doubt you are wondering if there was not some great justification for her actions. There may have been, but in that case she should have

left her husband. You see how your judgment is being swayed by your emotions. Perhaps this will help you to understand why I always prefer to know only the question on which my opinion is sought.

"I regard myself as a mere instrument to ascertain the truth. Most lawyers who have engaged my services understand this predilection of mine and so present their cases that I can work impersonally. It happened this time that the client blurted out his troubles and then asked me point blank to discover if the writer of those partially destroyed letters was the man he suspected.

"I do not like divorce cases but a soldier cannot stay his hand when he sees that the enemy he is about to kill has a pleasant countenance; nor can I refuse to give an opinion merely because it is going to bring some weak person to a day of reckoning. I do not make the facts; I merely establish them."

My father in the course of his career testified in some of the most sensational divorce suits. Sometimes his skill resulted in saving the good name of a woman who but for him might have lived to the end of her days with a tarnished reputation. Once, to my knowledge, he saved the good name of a man. But there was one case that my father always regretted. He never hesitated to tell of it himself nor did he hesitate to say that

he was ashamed of his part in the business. Because it happened early in his career I think it may have influenced him thereafter to try to keep himself free from the personal elements of the divorce cases with which he dealt.

In the beginning of his career he was a photographer, and for a while he was both photographer and handwriting expert. In this work he was required to use cameras. Questioned documents as a rule are photographed. So photography was always an instrument of that profession in which he gained fame, but in the case to which I refer he was employed in both capacities.

A novelist, prominent in society, had become convinced that his wife was unfaithful to him. He determined to get a divorce and asked David N. Carvalho to try to get a picture of the woman in the company of her lover. He warned him that the attempt involved some risk; he even expressed doubt that the thing could be done.

"If they see you around that country estate with a camera you probably will get a good beating," he said.

This was a challenge.

"I'll get the picture; they won't see the camera and I shan't be beaten," boasted Father.

In telling me about this long after it happened, he said he constructed a tiny camera which could be concealed behind the lapel of his coat with only

the lens protruding inconspicuously through the slit designed for a boutonniere. With this device he went to the country place where the woman was staying with her lover behind the walls of a large estate. When the couple emerged for a morning horseback ride they encountered a bearded young man walking along the road toward them in the bright sunshine.

The next time the horsewoman saw the bearded young man was in the courtroom where she was defending herself against her husband's suit for divorce. She had taken the stand to deny that she even knew the man who, her husband said, was her lover. She denied all knowledge of the man, denied it vehemently and with such evidence of sincerity as might convince a jury.

Then in a mild voice her husband's lawyer said:

"Madame, you say you do not know this man, but I will now ask you to look at this photograph and identify the gentleman who is pictured beside you."

She reached for the picture. After one glance she fainted. The picture was an enlargement of the negative my father had exposed in that tiny camera worn on his coat lapel.

"I was proud of myself," he told me, "until I saw the horror on that woman's face and then I felt as badly as I deserved to feel. That was the

last time I ever went out after evidence in a divorce case."

Near the end of his career he was retained in a suit in which the husband was a very rich man. The co-respondent was an adventurer who was willing to sell to the husband love letters which he had received from the wife.

"Carvalho," said the husband's lawyers, "you go with our detectives to keep this rendezvous. You are now familiar with Mrs. X's handwriting and you can make sure that the letters offered to us were in reality written by her. This fellow is not above offering us forged letters, we think. He is asking \$25,000 for them. If we pay him the money and then discover that he has fooled us we shall have no redress whatever. You go along—"

"No," said Father. "You get your letters. Then if you will bring them to me I will undertake to say whether they were written by Mrs. X, but I'll not have anything to do with collecting the evidence." On this point he was adamantine.

When he was brought in contact, professionally, with a breach of the marital code he was inclined to be as remorseless in his private judgment as a Turk. If the man was the guilty one he was just as pronounced in his feelings. I remember it was so in the case of a New York couple who were fairly prominent in fashionable society.

I learned that Father had been retained when he brought home a sheaf of love letters, passionately phrased writings that had been sent by the husband to his wife during summer separations when she had gone to Maine with the children while he remained behind in New York. "Forget I am your husband," was a plea in one of these letters. "The very word husband sounds cold and austere. Just think of me as your adoring lover."

"Why," I said as he read it aloud, "I think that is a peach of a letter."

"So it is," my father agreed. "So are all of these. There are letters to the man's children that I should have been proud to write. They are beautifully sincere. They should be treasures in the wife's sight, but now they have become standards of comparison for me, to be used as a means to determine if he wrote something else."

"What happened?" I asked.

"The man," he said, "has been a fashionable photographer with whom sittings were arranged almost as if he were a portrait painter. If you were to read all of the letters you would discover that he is a man who craves to be in that state which we call 'in love' while the wife was rather more content to be a safely married woman. During her long absence through the summer months, she might have held him by writing letters as fervid as these. I think with an adequate response to his

letters he could have been held as if in fetters of steel, but instead of such letters he received reports on the state of the children's health, the family finances, bits of gossip and a few conventional words of affection.

"It would be grossly unjust to say that the philandering of this man was merely the gratification of a physical appetite. His letters are poignant expressions of his hunger for love, fine love. Unhappily the wife did not sense this and the poor fool of a man began to neglect her, and his very practical wife decided that if he was neglecting her he must be singing his song into another ear. So she retained a private detective. The detective, while the wife was out of town, followed the husband from his club to a rendezvous where he met a woman. Then he trailed them to a hotel. His instructions, however, did not permit him to raid the pair. The result is that I was retained to clinch the case.

"What I have here is a photograph of a page of that hotel register, on which this man has written 'John Blank and wife.' The little word '*and*' will prove to be his undoing because, while he did attempt to disguise his handwriting when he registered, that single word '*and*' was scribbled in his normal manner.

"It is ironic that I shall be able to convince the court that this is in fact his handwriting by com-

paring an enlargement of it with that word as it appears fifteen times in some verses he wrote as a letter to one of his children."

"It seems a shame," I said.

"It is a shame," he agreed. "It is a shame that a man's selfishness can react so terribly on those he loves."

The case was heard before a referee who decided that because the erring husband had written "and" in his normal manner this was as damning as a thumb print. The woman got her divorce.

I questioned father about his testimony in that case.

"How could you be so sure?" I asked. "After all, there was just one word. It would seem to me to be flimsy evidence."

"To me the case was a very plain one," he replied, "but that would not have had much weight if I had not been able to make it plain to others, notably to the referee. Suppose I told you to begin a search for a man who was precisely six feet, one and one quarter inches tall, who had red hair, hazel eyes (the left one with a cast in it), a diamond-shaped scar on the calf of his right leg, whose right ear had been pierced by a bullet and who had a female figure tattooed on his right breast. Suppose I told you, further, that his little toe had been amputated from his left foot, and that he had a hair lip. You might have difficulty in finding

such a man, but if you did find him, I think I could convince you that you had found the only human being who had all nine of those points of identity.

“We all proceed to become more and more individualized every day that we live. Every meal that we eat, every word that we utter, every thought that passes through our minds, every word that is addressed to us becomes as a little hammer blow that shapes us differently from all of humanity that ever has lived or ever will live. Deliberately I have marked this hypothetical individual in a fashion more pronounced than is the case with most individuals that the man-hunters of the earth usually have to find.

“Let us see how improbable it is that these nine separate points of identity should coincide in as many as two human individuals. The first thing to do would be to determine how seldom each of these points of identity will be found separately. In other words, how many red-haired men are there on the earth? Remember, there are on the face of the globe only slightly more than a billion human beings, counting men, women and children. Next we should want to determine, how many men have hazel eyes; then, how many have casts in their left eye, then how many have female figures tattooed on their right breast; and so on.

“Purposely, now, I shall select arbitrary fractions of such reasonableness that you will concede

Io sono Clementino  
Infante della patria,  
Io fatico a credere per un  
degli prodigi di tali valenze dove  
"NAPOLEON" *Napoleon*

Io sono un Dio,  
Io sono un corvo con un corpo  
stranamente minore delle mie membra  
mio nipote *Gattoni*  
"OLD MAN  
OF 90"

*Soldato*  
Va battaglia c'è vinta  
senza a noi che la patria  
ni sarei grata. C'è cosa mai  
volta abbiamo mostrato che  
siamo capaci di "grandi"  
cose

*Napoleone* *Garibaldi*  
"GARIBALDI"

SIGNATURES  
WRITTEN  
BY CLEMENTINO

*G. Garibaldi*  
GENUINE  
SIGNATURE

Handwriting affected by hypnotism.

These specimens were all written by one man transformed into  
different personalities by hypnotic suggestion.

that I am not overstating the situation. Suppose we say that one man in every four is red-haired, that one man in every ten is precisely the same height as the man we are seeking, that one in every five has the same color eye, and then for the disfigurements suppose we assume that each of these is to be found once in every three hundred men who are examined. Actually these points would not occur so often. I doubt if more than one man in a thousand has a cast in his left eye.

"Each of our nine separate points is now represented by a fraction, one-fourth, one-tenth, one-fifth; and six fractions each with the value of one three-hundredth. Our problem is to determine how frequently all of these peculiarities combined in one individual could be expected to occur in another individual. Professor Simon Newcomb, an accomplished mathematician and astronomer, has given us a formula with which we may determine how often coincidence of all the features may be expected. This formula may be stated so: 'The probability of concurrence of all the events is equal to the continued product of the probabilities of all the separate events.' The continued product of our fractions gives us one chance in one hundred and forty-five quadrillions, eight hundred trillions (145,800,000,000,000,000). Such a vast sum transcends anything in human experience. If you say that there is still a chance

that the thing might happen, that in spite of the mathematical formula, two men might be discovered in whom are combined all of these distinctive features, I might agree. You would say, 'a chance.' I would say, 'a fat chance.' "

"Yes," I said, "but we were talking about that one little word on the hotel register, that treacherous conjunction by means of which a philandering husband was forced to pay alimony. How could you find in that tiny scrap of writing sufficient distinctive points of identity to make a formidable calculation, like this other one?"

"Well," he said, "there was the matter of slope or angle for one; there was the matter of pen pressure, or width of line, for another; the matter of size, of the system of writing; the downward strokes and the upward strokes. Each one of these and some other points were for me as marked as red hair, hazel eyes, scars, missing toes and other characteristics would be for you. It was the combination of particulars that persuaded me. It becomes, in the end, a matter of common sense.

"If I say to you: 'Prove to me that you are Claire Carvalho, my daughter and not an imposter,' with what words are you going to muster the proof I ask? Suppose I asked you to do so in a court room, what would you do? I can tell you that you would find it necessary to show a combination of particulars that would identify

you. The testimony of each of your friends would count. Your knowledge of some intimate secret shared only by members of our family would count, too. Photographs made of you at an earlier age would help. Specimens of your handwriting now and some made at a time when I did not dispute your identity would help you establish yourself. In fact, each one of these things would assist you, but the real weight would come from the combination. In the end, unless I had lost my mind entirely, you could convince me by the law of probabilities that you were, in fact, my child.

"So it was with this word 'and.' It was as clearly a part of the writing of the delinquent husband as you are a part of the Carvalho family. He could no more deny it successfully against expert testimony than I could continue to deny that you are the person entitled to be called Claire Carvalho. It is not always necessary to resort to Professor Simon Newcomb's formula. Generally common sense is sufficient to prove a case when handwriting is in dispute.

"In some cases that come to court interpreters are necessary to make part of the testimony clear to a jury. If a witness can testify only in French we need an interpreter who speaks both French and English. If the witness speaks only German then the interpreter must be one who speaks both

German and English. We handwriting experts are interpreters. We must translate the mute testimony of handwriting into the common sense language that jurymen can understand."

I recall one of my father's cases in which the problem of identity of certain handwriting was involved with the questioned paternity of a little boy. It was a problem strangely tangled with handwriting. It was almost as if the lawyers believed that they could determine whose blood streams were mingled in the veins of that child by discovering whether, or no, his mother had written a certain package of love letters which were labeled as Exhibits. If the woman did write the letters then there was no escape from the conclusion that a man other than her husband was the father of this child.

My father had been retained by the husband's lawyers. Among his papers after his death I found a copy of the report that he had made to them before the case went to trial. There were seven typewritten pages in which he had listed many of the duplicating characteristics which had fixed in his mind the opinion that the accused wife had written the letters. In concluding that report he wrote: "I might go on and fill many more pages with the comparisons of letters, words and figures which I have made as between the known writing and the questioned writing but I think

your attention has been addressed to a sufficiency for the present, certainly enough to call attention to the fact that the opinion I have rendered stands on a very firm and substantial foundation." I thought of the mathematical calculation that might be worked out on the basis of his report, a calculation that would show, logically, that there was only one chance in trillions of trillions of chances that this child was in reality a son of the man whose name he bore and I thought also of something my father had told me concerning the mother on the day she testified.

"A little box of pen points and an assortment of holders was offered to her," he said. "She was to write under the eyes of those in the court room specimens of handwriting to be compared with the love letters. I think I never saw a woman who behaved more admirably in such circumstances. She knew full well the import of the test, but she met it with a gracious smile that betrayed none of the anxiety that was in her heart.

"'I like a stub pen,' she said, much as if she had been expressing a preference for cream or lemon in her tea. She picked the points over. When she found one to her liking she fitted it into the holder she had selected. Then, smilingly, she asked for a match. With this she burned the lacquer coat off the metal point so that the ink would flow evenly. When she had done this she looked up,

clear-eyed and smiling, for directions as to what to write. The feminine aristocrats who mounted the platform of the guillotine during the French revolution and asked the headsman what was then required of them showed no more courage, I think. You must remember, this woman knew that she had written the letters in dispute and she knew that what she was to write in court might betray her as completely as if she were to confess herself the author. Her writing would betray her and it would betray her son."

I do not feel that I am privileged to say how that case was decided.

## CHAPTER XV

Often letters offered as evidence in divorce proceedings are questioned as forgeries. Inevitably this requires the services of a handwriting expert. Repeatedly my father was retained in cases of the sort. In that faithfully kept diary of his which he called his "scratch," I found a notation of his entrance into such an affair.

"Mr. B——," he had written, "called on me with his counsel, and wants me to examine a certain letter which has been offered in court for the purpose of upsetting the decision of the jury in the case of Mr. B—— against his wife, decided some weeks ago against her. Mr. B—— claims that he didn't write the letter and wants me to examine it, if the other side will permit. I am to hear from them in the morning."

The man in this case was a vice-president of one of New York's greatest financial institutions. His appearance was appropriate for his position. The rising men of Wall Street banks are as carefully uniformed as soldiers. Their cravats must be subdued in hue, their shoes must be polished, their suits must be as conservative as the bonds they recommend, even though their nostrils flare when they sniff perfume. Mr. B——'s appearance

conformed to the standard that is set by the old men of the Street. His ability in finance was considerable. He was a middle-aged bachelor at the time his bank selected him to go down South on a mission designed to bring to it a larger share of the flow of gold that comes in the wake of cotton when it is marketed.

In one of the great cities of the South he was introduced by an influential man of the community to a young woman of flashing—according to the newspapers—beauty. She was, he was told, a member of one of the first families of the South. Her home, he was told, was in another Southern state where her people were dominant figures. The New York banker, who would have inquired with painstaking thoroughness into the true values behind any handsomely engraved stock or bond that was offered to him for purchase, married this young woman after a brief courtship.

At some time in the course of their acquaintance the banker discovered that if there was good blood in this young woman's veins it was illegitimate. She was one of three daughters of a woman who had never troubled much about marriage contracts, with the result that none of the daughters was more than half-sister to the other. He discovered also that his wife had spent a part of her life in an orphan asylum and part in disorderly houses in the city where she was born. There

were other discoveries likely to be painful to a husband in love with his wife.

The banker resigned his position before taking steps to free himself from this woman. Then he sued for an annulment of their marriage on the ground that he had been deceived as to her past. In defending the suit the wife contended that her husband had known that she was of illegitimate birth before their marriage.

The man won a partial victory, the court holding that he had established his contention that his wife had misrepresented the facts about herself; but chided him for his failure to exercise a proper diligence before entering into a marriage contract. The woman then asked for a new trial of the case on the ground that she had fresh evidence that her husband had known the unpleasant facts of her life before their marriage. It was at this point that David N. Carvalho was brought into the case. The fresh evidence to which the wife referred was some writing which she permitted a newspaper to publish. Seemingly it was a letter that her husband had written to another woman.

“My darling: (it read)

“On the way to court this last day—and liberty—and you. Yes darling, I am ashamed of the accusations against Mildred, all of which is wholly unjust and untrue. I know I will never cease to regret. Too bad, that I may have you. I believe

sincerely that Mildred is a good woman and I respect and honor her loyalty to the absent sister. That was to be expected but under the present circumstances it would serve no purpose to engage in any discussion of these distressing matters even with you."

If the husband had written this letter there could be no doubt that he lacked proper grounds in asking for an annulment. But he had not written it. My father's microscope revealed that it was a traced forgery. All the words in the letter had been written by the husband to his wife. In fact, his letters to her were the raw materials of this forgery. The sum of the words that he had employed in those letters was the vocabulary to which the forger was limited in composing the fictional exoneration. Tracings of needed words were in turn retraced until there had been created the somewhat incoherent "love" letter reproduced above.

The woman said she had purchased this letter from a girl who offered to sell it to her; that she had met this person by an appointment, arranged by telephone, at a New York department store; and that she had no idea how she could find the mysterious creature again.

After my father had testified the banker was permanently relieved of his obligations to this woman. A judge of the Supreme Court signed an

interlocutory decree annulling the marriage. The woman was indicted, but not prosecuted, for forgery. The husband declined to press the case.

“Was she really beautiful?” I asked my father, invading that laboratory where he spent so many hours experimenting in the manufacture of fraud-proof papers, permanent inks and other devices which he was habitually striving to create.

“She wasn’t beautiful at all,” he said angrily, as if he had been cheated personally by her lack of charm. “She has a jowl!” He spoke as if this was a greater crime by far than forgery, and in his beauty-loving eyes I am sure it was.

“But how do you account for her ability to fool him into marrying her?”

He pushed away the stereoscopic microscope against the twin barrels of which his eyes had been pressed.

“The world is full of men of that sort,” he said. “They are like those richly-colored little fiddler crabs that we see scurrying on the marsh beach at low tide in Florida. Sand fiddlers, the natives call them. They have on one side of their heads a monstrous claw, often quite as big as their bodies; but the opposing claw is a shrunken, quite useless appendage. They have an absurd likeness to the fiddlers in an orchestra as they rustle along the beach.”

“But this man was a banker!”

"Certainly he was a banker, but he wasn't anything else. That is precisely what I am trying to tell you. One side of him was developed all out of proportion to the other. In business he was formidable; in his social life he was futile. He represents a type that is too common in the American scheme of things. He went into a bank determined to succeed. He knew nothing of women and was, probably, proud of his inexperience. He could analyze the statement of some big business organization and place his finger unerringly on any weakness. That was his big claw, his business sense; but in encounters with women he was as helpless as a sand fiddler when an angler strips it of its weapon and impales it on a hook to serve as bait."

In more than ten thousand cases of disputed handwriting in which my father figured as an expert there was one piece of work of which he was extraordinarily proud. This, too, was a divorce case, one in which he was able to save the good name of a woman because he was better able than she was to decide, and having decided, demonstrate whether she had written a certain letter.

It happened in one of the chief industrial cities of the country, when I was half grown. One of the rich men in the community was terribly jealous of his wife. Suspicion succeeded suspicion in his strangely warped mind. A word, a look, a half-

suppressed smile was sufficient to expand his fancy with torturing thoughts. This trait in him was so like a cancer that when the wife succeeded in persuading him that one accusation was unjust the very frankness with which she sought to soothe him was transmuted into cause for doubt.

The husband was the owner of an important manufacturing establishment. The wife was the daughter of a railroad president. Their residence was a pretentious establishment in which were numerous servants. There were many horses in their stable; attendants for each of the five children; every form of luxury was theirs and might have been enjoyed but for that twist in the husband's mind, that ungoverned imagination in which the fancied infidelities became more real than actual adulteries.

At last, after eleven years of frantic endeavor to convince him that she was entitled to his trust, the woman took her children and returned to her father's house. The husband sought to persuade his father-in-law to exert his influence in behalf of a reconciliation. The woman's father said bluntly that his daughter had been a fool to submit to the man's tyranny as long as she had. He said he would help her get the separation and the alimony to which she was entitled if it took every dollar he possessed. It was a declaration of war in the society of that city.

Soon afterward the husband made the meanest of his suspicions the basis of a suit for divorce. He charged that his wife had been unfaithful to him and named as co-respondent his man servant.

The husband found little support among his acquaintances. On the streets and in his clubs he was shunned. When a statement of the servant was published indignation spread across the country. A number of business men offered to pay all costs of defending the woman's name, but her father declined outside aid.

The servant disappeared, but detectives employed by the woman's lawyers trailed him and wrung from the man a confession that he had been bribed by his employer to make his compromising statement. He was kept in prison for four months, a discredited witness, but when the divorce suit came to trial the husband named a second co-respondent. This time he named another man employee. This one took the stand in defense of his former mistress and testified that he had been offered \$25,000 by the husband's representatives if he would acknowledge that there had been an illicit relationship.

The handwriting of the wife was of that bold, angular style such as is affected by many women who have been educated in fashionable boarding schools. When the husband's lawyers, after she had taken the stand in her own defense, showed

her a few letters she glanced at them and conceded she had written them. Then they produced a package containing about forty other letters. She denied she had written them but her denial was in conflict with the weight of the evidence.

"How did you discover the flaw in the case against that woman?" I asked my father long afterward, when he had expressed some pride in his part in it.

"For an understanding of my behavior," he replied, "you must appreciate that Exhibit Five was a letter purporting to have been written by the defendant wife to her Norwegian maid. The maid was a witness for the husband.

"Four experts had refused to testify for the woman when the case was offered to me. Indeed, at first I refused to testify for her. It looked as if her guilt had been established. Then I made an exhaustive examination of the letters which she conceded that she had written. There was a chance there. What I found amazed me.

"'I will take the case,' I said to her lawyers, 'if you will eliminate Exhibit Five. It may be impertinence on my part,' said I to her lawyers, 'to give it as my opinion that Mrs. Q. did not write that letter when she says she did. Nevertheless I know that she could not have written it. If she did write it, then she wrote the other forty which she has denied writing. Exhibit Five was written

by the same hand that wrote the disputed letters.'

"Well, the lawyers called Mrs. Q. into the office. I asked her if she had written Exhibit Five and she said that she had done so.

"How many letters did you write to the maid while you were abroad?"

"Two," she replied. "One from Germany and one from London." Her mother, who was present, nodded confirmation.

"The letter from London and the one from Germany are in this other package," I reminded her, and showed them to her. All were astounded.

"You must recall the maid to the stand," I said to the lawyers.

"If we do she will testify that she received three letters from abroad."

"No, she won't," I insisted, and she did not."

I interrupted my father to ask him why this particular letter was of vital importance.

"It was important," he said, "because the husband's lawyers were going to offer it as a standard in judging the other letters attributed to the authorship of the wife, but which she denied that she had written. Any competent handwriting expert could see that Exhibit Five had been written by the same hand that wrote the terribly compromising ones.

"Well, when the maid took the stand she acknowledged she had received only two letters from abroad.

"Now," I said to Mrs. Q.'s lawyers, "ask her where she got Exhibit Five."

"It was handed to me," the maid testified, "by Mr. Q.'s brother."

"Where?"

"Aboard ship at the dock just before sailing time."

"Right there the case blew up. The entire pattern of the divorce suit was changed from that moment as a kaleidoscope alters its pattern when you turn the barrel. From that moment, I think, every one in the court room understood that Mr. Q. was a scoundrel who was deliberately scheming to blacken his wife's name unjustly.

"Mr. Q.'s brother was one of his lawyers. In response to questions the maid then revealed that the brother had told her this letter, supposedly from her mistress, had been enclosed in one he received from Mrs. Q. through the mail. As a matter of fact it never had gone through the mail. It was an out-and-out forgery. It was a deliberate plant."

"But what," I asked, "did it say?"

"It asked the maid to be on Mrs. Q.'s side in the impending divorce. You see, the home had been broken up by the quarrel and this maid was returning to her home in the old country. Q. was paying for the trip. This letter was a key document. The thing becomes clearer when you under-

stand how Mrs. Q. testified after hearing the maid's admission.

"'Why,' asked one of her husband's lawyers on cross-examination, 'why did you first testify that you had written this letter which you now deny?'

"'Because,' retorted Mrs. Q., 'I did not read the letter. I knew I had written a letter much similar and sent it to the maid. But I did not know there were forty other letters to follow which depended upon my identification, my acknowledgement of this one. If I had known I should have examined it carefully before I gave my answer the first time.'

"Then I took the stand. I testified that I had been the first to discover that Exhibit Five was a forgery of Mrs. Q.'s handwriting. Well, you should have been in that court room then! The lawyers on the other side were thunderstruck and betrayed their agitation by asking for an adjournment. It was refused. I continued to testify.

"There was one letter that had been torn into small pieces and then reconstructed on a sheet of cardboard. This seemed to be a letter in which Mrs. Q. had called the servant, and supposed lover, 'dearest' and advised him to sleep as late as he pleased in the morning. I testified that this letter had been doctored with a lead pencil. With a microscope I showed where the pencil line had been drawn from one bit of the note to another

showing on the cardboard between the pieces. This bit of pencil line was probably not over one two-hundredth of an inch long, but it was vastly important. I also showed that five pieces of the paper as they appeared on the cardboard did not match, and this evidence, too, was supplemented by my microscope.

"The real climax came after I testified that I had discovered at least three distinct hands in the writing of the forty compromising letters; and succeeded in identifying the chief author of the forgeries. Some of these were innocent letters of Mrs. Q. to which had been added sinister phrases. This forger had shown an amazing ability to imitate the angular handwriting of Mrs. Q. Who was the forger? Photographic enlargements of the doctored letters showed even to inexperienced eyes differences in the quality of the writings there. It became obvious that each of the compromising letters contained writing of two individuals, writing that was superficially similar. A certain woman in the family was suspected. Mrs. Q.'s lawyers supplied me with standards of the suspected woman's writing. When I examined these there was no longer any doubt in my mind. I could name the forger. A surprising feature of the case was the marked similarity of the normal writing of both women. It was a family resemblance."

Bedford London.<sup>1</sup>

Bedford London.<sup>2</sup>

Bedford. London. <sup>3.</sup>

Bedford London. <sup>4.</sup>

Bedford London.

Bedford London. <sup>5.</sup>

Bedford. London. <sup>6.</sup>

Bedford London <sup>8.</sup>

Bedford London. <sup>9.</sup>

Inherited traits in handwriting.

Differences and resemblances in the handwriting of the members of one family.

"Well," I said, "how do you account for that?"

"Simply enough," he retorted. "The forgeries were prepared by Mrs. Q.'s young kinswoman. Each had attended the same fashionable boarding school. Each had been taught the same system of writing. The women had quarreled, and the younger one, subjected to evil influences, had been induced to betray the older one. Before it was too late she repented. She testified for Mrs. Q. Mr. Q. lost his suit and a few months after the case was decided against him, the wife filed suit against him. She won a divorce and several hundred thousand dollars in alimony."

I was still curious and somewhat puzzled about this case.

"At the risk of seeming to be thick-witted," I said, "I want to ask more about those forty letters. How had they been gathered? How were they made to seem to have been sent by Mrs. Q. to the man servant?"

"You must remember," my father explained, "that Mr. Q. was quite rich. He had retained a swarm of private detectives. One of these men planted some of the forged letters in a trunk belonging to the servant. Another of these spies then 'found' the letters. One of the torn letters had been planted in an ash barrel. Then another spy had 'discovered' the fragments and pieced them together. Mr. Q. was actuated by a desire

for revenge. He really believed, inflamed as he was by jealousy, that his wife was guilty. In his efforts to prove in court that she was guilty he did no more than is often done by ambitious prosecutors and police officials. They become convinced that a certain person is guilty of a crime. Then, on the theory that any stick is good enough to hit a dog with, they manufacture evidence against the one they believe is guilty. In a misconception of duty they will go to outrageous lengths to strengthen a case.

“I could tell you——”

The 'phone at his elbow rang. A moment later he was engaged in another case; another of his thousands of adventures designed to make truth prevail when there had been committed a crime in ink.

## CHAPTER XVI

The lure of man-hunting was the essence, I believe, of my father's passionate devotion to the science of establishing proof of identity by means of handwriting. In the cognate systems of indexing individual peculiarities his interest was always keen. Any development which promised a new means of overcoming the effects of stealth by the silent evidence of things fascinated him. He thought of himself as a detective-scientist. Photography, handwriting, water-marks, papers, inks, fingerprints, these were all the tools of the craft to which he was devoted, the corps of man-hunters who led the way for justice. For him there could be no finer triumph than to be able to say: "This is the guilty man" or "This is not the guilty man."

It was natural, then, that he should have been a pioneer in the development in America of the use of fingerprint evidence as an instrument of justice. He was, I think, the first man who ever tracked down a culprit in the United States by means of such a tell-tale mark. It happened eighteen years before the first conviction was obtained in New York City by this kind of evidence.

That first one in New York was a triumph of Inspector Joseph A. Faurot. Late in February,

1911, the loft of Bernstein Brothers, in Wooster Street, was entered by a thief who robbed the place and left no other clue than a pane of glass which he had removed from a door in order to effect an entrance. This pane of glass was taken to police headquarters and there studied by Inspector Faurot. On the surface of the glass he found the greasy print of a thumb. Although there had never been a conviction in New York on fingerprint evidence, the police for some years had been building up a library of fingerprints of the criminals who were captured from time to time. That thumb print was as good as a signature. Within ten minutes after he saw it Inspector Faurot had matched it in the indexed collection. The print was that of the thumb of a man with a criminal record named Charles Crispi.

Detectives who knew where he lived brought him to headquarters where he proved to be in a defiant frame of mind. He insisted he had proof that he had been home and in bed on the night of the robbery. He was still insisting that he was innocent of the charge after he had been indicted and placed on trial, but after Inspector Faurot had given a demonstration in court of the infallibility of fingerprints as a means of identification the prisoner suddenly decided to plead guilty.

When I read about that case I asked my father what he thought about it.

"I think it is about time," he replied.

"About time what?" I persisted.

"I think it is about time that people generally were realizing that each of us is an individual. We are marked from birth apart from every human being who ever lived, does live, or may live in the future. The whole pattern of our skins, not alone our fingerprints, varies decisively from that of every other mortal. The pattern of the ridges on your fingers is of more value for purposes of identification for the reason that you are more likely to leave an impression of that pattern in the performance of any stealthy action in which you might engage; but the palm of your hand or the sole of your foot is made to correspond with no other palm or foot in the world. It is the same with your handwriting. The trouble has been that jurors often lack sufficient understanding to appreciate what the expert tells them of such matters. Then, too, the field contains many calling themselves experts who are by no standard entitled to be called expert. I remember my first fingerprint case. It was said at the time to be the first one of its kind in America. For that reason it was dramatic. What I did had the flavor, for uninformed persons, of witchcraft. Mind you, this happened before burglars had discovered that gloves on their hands were a better protection against identification than a mask on their faces.

The average policeman was as sceptical of fingerprint evidence as he was of the exploits of A. Conan Doyle's fictional detective, Sherlock Holmes. It happened when you were a very small creature, in 1893.

"My office was in Broadway overlooking City Hall Park. There, with the aid of a magnifying glass and a rifled envelope as a solitary clue, I was able to tell officials of an express company which one, of many employees unjustly under suspicion, was the culprit who had taken \$22,500 from a package entrusted to it for shipment.

"The loss had been discovered in a distant office of the express company. The safe from which the money was missing contained \$50,000. This money had been sent by the National Bank of Commerce in New York to the Blank National Bank, fifteen hundred miles away. The only clue to the thief, of which the officials were aware, was, they believed, a false one. They were quite bewildered when they brought the problem to me. Briefly, what they told me was this: The money shipment arrived at the branch office of the company at eleven o'clock at night in the presence of another employee, in accordance with a rule of the express company. This safe was one of those heavy steel boxes which you see from time to time in express wagons. They are about the size of a small, camp trunk and for convenience of handling

have heavy iron rings set at each end. This safe was locked when it left New York. The key was sent in a separate envelope and the seals on this had not been tampered with when the steel box reached its destination. Arthur G. Gordon,\* the cashier, tore open that envelope there in the branch office. He took out the key and in the presence of an assistant unlocked the travelling safe, calling attention to the fact that the seals on the safe had been broken somehow. Then he reached into its shallow depths and hauled out the envelope that had contained \$50,000 when the package left New York. Remember, if you please, that the key to the strong box had travelled under seal and as a separate package. Remember, too, that when it was opened Arthur G. Gordon was under the observation of his assistant and vice versa.

“‘This package,’ said Gordon, as he looked at it there under the bluish glare of the arc light in the express office, ‘is in damn bad order.’ He ripped it open, tossed the envelope into a waste basket and then hesitated. It was quite late and the office was deserted except for these two. They agreed it would be dangerous to count so large a sum of money, unprotected as they were. The cashier recovered the money envelope, replaced the packages of green and yellow bills, and locked it in the safe for the night.

\*A name assigned for the purposes of this account.

"The next morning the safe was unlocked and the money counted in the presence of two men, one of whom was Arthur G. Gordon. There was only \$27,500, instead of \$50,000, in the bundle; \$22,500 was missing. When the officials of the company came to me for help they were completely at a loss for means of tracking down the thief and the missing funds. The robbery might have occurred, they believed, anywhere along the fifteen-hundred mile journey of the safe. A great many detectives had been at work on the case. Every man who had had an opportunity to touch that safe in the course of its travels was questioned, spied upon and discussed in endless conferences. Minute details had been set down with meticulous care by the leaders of this vain man-hunt. Near Cleveland the train had stopped for some purpose and for a few minutes the door of the express car had been left open. A man who might have entered the car at that point, if he had chosen, was carefully tracked down, observed and questioned and investigated. It was learned that for most of the journey the safe had been buried under a pile of chicken coops as a precaution against thieves. These and a few hundred other facts were all set down and studied, vainly. This was why the matter was placed in my hands. I was a last resort. I did not think the company had much hope that I would be able to accomplish anything; I did not have much hope myself.

"All that they could give me was the meaningless collection of facts compiled from the notebooks of all the detectives and the envelope from which the missing funds had been abstracted. That envelope was the thing which interested me. I pushed aside everything else. If I was going to learn anything, I knew my discovery would have to be in the small field represented by the surface of that envelope. I hardly expected to find such clear-cut proof as lay before my eyes when I had studied it.

"The envelope was made of manila paper and had a gummed edge which had not been used in sealing. This had been accomplished in the New York office by an employee who had closed the flap with three deposits of reddish-brown sealing wax. Each of these, before it hardened, had been pressed with a seal bearing the words: 'Out Money N. Y.' in block letters. These seals had been tampered with. It did not require expert eyes to discover that they had been remelted. The smoke of match sticks discolored the paper at the bases of these small wax craters. The two seals at the end of the envelope bore in reverse the letters, 'A. G. G.' The express company officials informed me that these were the initials of that cashier who had received the safe, Arthur G. Gordon. They were equally prompt to tell me that he was a man they regarded as above suspicion. Moreover, they pointed out that it was highly unlikely, if Gordon had taken

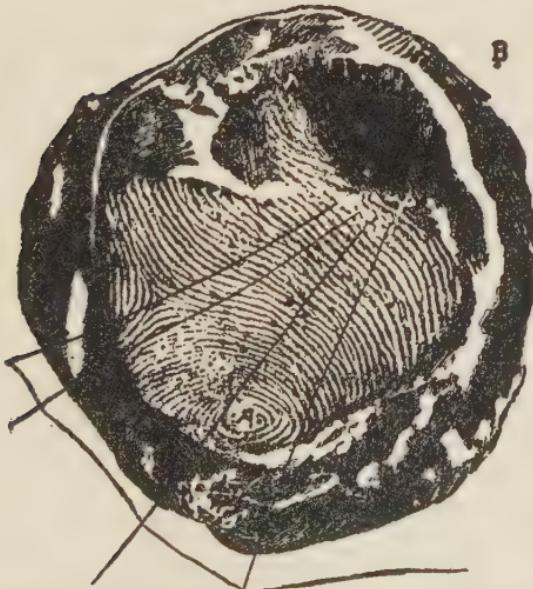
the money, that he would deliberately direct suspicion at himself.

"I was more interested in the third seal. It was marked in a curious fashion; I could see that with my naked eyes. Under my magnifying glass I soon saw that these marks were an impression of the ridges of a human finger. Mind you, that was in 1893 and fingerprints were not generally known to be the distinctively individual markings which most persons now know them to be. I, however, had been for some time familiarizing myself with the work of Sir William Herschel in India who had directed a monumental work of human identification for the government of Bengal. There the finger and thumb-prints of thousands of natives had been registered and catalogued.

"The special sub-registrar of Hooghly, Babu Ram Gati Bannerjee, who was in charge of this library of fingerprints, had collaborated with Francis Galton, a Fellow of the Royal Society, in the production of a book on the subject. I had studied this work until I felt that I was a finger-print expert. Because of the constant use in my handwriting studies of the calculus of probabilities I was ready to accept their conclusions anyway. It was the contention of the authors of this book that not only are no two thumb or finger impressions alike in their linear marks and capillary ridges, but that the passage of time would

develop no changes in the markings of any human being. A comparison of two impressions of the same forefinger made after a lapse, between printings, of fourteen years showed thirty points of agreement and none of disagreement. Mathematicians know that the likelihood of such patterns recurring in two individuals is beyond possibility. If there were ten-thousand-million worlds as thickly inhabited by human beings as this one upon which we live, and if every one of these trillions of trillions of fingers of all the inhabitants were catalogued, still there would be no reasonable chance of finding two which would agree. The mathematician is easily convinced of this, but there are only a few students of mathematics in any community. I, however, was convinced beyond doubt that if I could discover the identity of the person whose fingerprint was trapped in the hard brittle sealing wax of that envelope, I should know the thief.

“Accordingly I asked the officials of the express company to get me a wax impression of the fingers and thumbs of every man who was known to have touched that envelope. There were seven of them, and consequently there were seventy fingerprints to be studied. These had to be photographed in an enlarged form to correspond in size with a photographic enlargement which I had made of the marks on the wax seal. I had espe-



*Above.* Magnified photograph of the middle seal from the violated envelope, showing the thumb impression of the man who stole the money. *Below.* Wax impression from Gordon's thumb, from a magnified photograph. For identification by the strip method it can be cut where the lines are marked and then pinned on Exhibit B at the exact spots marked A and B. By lifting the separate strips the characteristic lines from both impressions may then be compared.

cially requested that the identity of the individuals represented by the fingerprints be withheld from me. So, I was able to approach my task of comparison with an open mind. This is a delightful state for the scientist; when he has it he can let his conclusions follow developments of his research with the ease that an experienced automobilist guides a car along a hard-surfaced highway.

“It did not take me long to discover that what I was after was a thumb print. That reduced my work. Now I was concerned only with finding among seven photographs a print to correspond with the print of the unidentified guilty man. Quickly I was able to discard two of the seven. Finally only one remained. I traced out the resemblance lines line by line. I followed those thread-like lines as patiently as if they were mountain ridges and myself an explorer.

“My eyes descended the broken ridges as slowly as I might have lowered myself over a precipice. I studied the pores as if they had been the size of pit mouths and then at last I knew that there was a complete matching between the sealing wax impression and this other.

“I went to the officials of the express company with my evidence. To them I said: ‘Number Three in the lot of fingerprints which you supplied me with bears the print of the same thumb which made the mark on the envelope. Whose fingerprints are Number Three?’

"The officials looked at a sheet of paper lying on their desk. One of them spoke. 'Number Three,' he said, 'is the code symbol which we attached to the prints taken of the fingers of Arthur G. Gordon, the cashier who received this money shipment.'

"'Then,' I retorted, 'Arthur G. Gordon is your man.'

"'Impossible!'

"'Gordon is the man.'

"'He is above suspicion; we trust him above some of the others whose fingerprints we gave you.'

"'Nevertheless the mark of his thumb is on the broken seal. He is the man.'

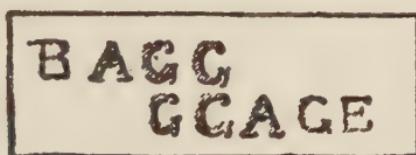
"Finally, I told them that I would undertake to produce more evidence, searching the envelope for further revelations. I now devoted myself to the general structure of the three seals, and for an understanding of the importance of what I found it must be remembered that Gordon had torn open the envelope containing the key to the safe in the presence of another employee. The question arose as to the time the seals had been tampered with, whether before Gordon opened the envelope, or afterward.

"Under the microscope I saw that the torn edge of the paper was charred. Following this lead I discovered other things which convinced me that

the seals had been tampered with after the envelope had been opened. For one thing, I discovered that while one of the seals had been blurred by the heat of matches it had never really been detached from the paper. Therefore, because of an inner flap which was thus held down, it was impossible that the key could have been removed from the top of the envelope. This could mean but one thing: The seals had been tampered with, not for the purpose of abstracting the key to the safe, but for the sole purpose of confusing the investigators. It was admitted by all concerned that none but Gordon had charge of the envelope after it was opened. Only two men—and he was one—possessed the combination to the safe in which it was locked over night. The other man, it had been clearly established, had been given no opportunity to open the safe. Some one had remelted those seals, I knew, after the envelope had been opened. Who? I was convinced that Gordon was the man. My job was to convince others.

“When I submitted my new evidence to the officials their faith in the man was shattered. So with private detectives they went to Gordon’s home and searched it. They were hunting, primarily, the stolen money, but what they found was even more interesting to me. They found a badge such as is worn by certain employees around any big railroad station. On this one, deeply graven in block

letters, was the word BAGGAGE. The cuts of the second, third and fourth letters of this device were found to be clogged with sealing wax. Our



The letters on the seal.

search was at an end. Now we knew how the initials A G G had been printed in reverse on those damaged seals. The impression had been made with this badge.

"Well, Gordon was brought to trial, but he was ably defended. His lawyers, astute fellows, made the most of their client's previous good record. They made their pleas to a jury which was as unready, at that time, as the rest of America to accept finger-evidence. It was likened to witchcraft. I was not surprised, but I was certainly disappointed when the jury brought in its verdict. Gordon, they had decided, was not guilty. But I don't suppose there is to-day a county in the United States where he might stand trial on the record of that case and win his freedom.

"Nevertheless, it was valuable pioneering. Because of this attempt of which I have told you, and because of scores of other cases that failed,

the common sense of America was at last made ready to accept this kind of evidence which is based on the calculus of probabilities, which in turn is nothing more nor less than common sense in numbers. If ten children say: 'This woman is our mother,' you do not question them. Similarly if ten or twenty or thirty coincidences seem to occur in two patterns which are thus revealed as prints from one matrix you should not dispute them."

"Maybe so," I agreed reluctantly, "but still I do not see what good it does the police to find fingerprints on the smoking pistol which the burglar drops in his flight. How do they find out which one of ten thousand criminals is the author of those prints?"

Father looked at me scornfully. Then he smiled.

"Do you remember that game we used to play called twenty questions? The one in which you, for example, would leave the room while the rest of us agreed on some subject that was somewhere in the world?"

I nodded.

"You remember how quickly you could narrow your search down to small limits? Once we thought of your doll's baby-carriage which we had left at Breezy Point at the close of summer. Yet you came into the room and asked——"

"I asked if the object was in this hemisphere,

then if it was in this state, then if it was animal matter, mineral matter or vegetable matter."

"Precisely. Then you asked if it was in Queens County. Each of our answers brought you a little nearer to the subject of our thoughts. Finally you asked if it was at Breezy Point. We said 'Yes' and then you thought of your doll-carriage. Sixteen or seventeen questions had served you as a catalogue. They had reduced every object of which we had common knowledge to a workable index.

"Well, then, with fingerprints the business is even more easy than the game of twenty questions. All fingerprint experts are agreed on four major classifications of the types of impressions with which they deal. One of these is characterized by loops, another by whorls. Whorls are similarly divided. If you give the fingerprint expert at police headquarters the impressions of the finger tips of any criminal who has ever been through the machinery there he will be able to tell you the name of that criminal within half an hour at the most. For him the task is as simple as that of a librarian who looks for a book on his shelves after you have given him the title.

"Actually, this game of finding the owner of a set of registered fingerprints is child's play. Any school pupil of average intelligence could learn how to make the comparisons—in other words,

how to read the prints—with an hour of instruction. Does that make it clear to you?"

I said that it did and Father lighted a fresh cigar and picked up another cheap magazine dealing with fictional detectives and equally fictional quarry.

## CHAPTER XVII

In the political campaign of 1908, when William Howard Taft became the candidate of the Republican party to succeed Theodore Roosevelt as President of the United States, there came to light a curious case in which my father's skill was employed to prove that what purported to be the signature of Grover Cleveland, who had died a short while before, was a forgery.

The *New York Times* had purchased an article which its editors had been led to believe had been written before his death by Grover Cleveland. The article included an attack on William Jennings Bryan and mildly supported the candidacy of the Republican nominee, William Howard Taft. Since Mr. Cleveland had twice been elected president of the United States as a Democrat this article was tremendously important—if true. It was sold to the *New York Times* by a journalist whose good faith was not questioned at the time. Gideon Gilbert is not his real name, but it will serve here.

This man was acquainted with Mr. Cleveland and in the course of his career had interviewed many other men of equal prominence and distinction. Consequently when he offered to sell an article written, he said, by Grover Cleveland there

was no reason to doubt the authenticity of his merchandise. He was a free lance journalist who had long been engaged in conceiving ideas and producing articles which he sold to the editors of magazines and newspapers. The only flaw in this particular enterprise was the fact that Mr. Cleveland had been dead for some weeks when the article in question was offered for publication. Gideon Gilbert had a plausible explanation to account for this. He said that he had persuaded Mr. Cleveland to write a series of articles and that the undertaking had been interrupted by the former president's illness and death. One article had been completed. *The Times* paid \$500 for the article.

So extraordinary were some of the statements in the document, however, that more than usual care was exercised by the editors before arranging for publication of its contents. In this case the editors of *The Times* decided to send a representative to see F. S. Hastings, the executor of Mr. Cleveland's estate.

Mr. Hastings, as a result, sent to *The Times* a letter in which he said: "I have no reason to believe that the article furnished you by Mr. Gilbert, purporting to have been written by Mr. Cleveland, is not genuine." Among the assets of Mr. Cleveland's estate at this time was a contract signed by Gideon Gilbert in which he promised to pay seventy per cent of the proceeds of the sale

of the manuscript to the Cleveland estate. Even Mr. Cleveland's widow did not at the time suspect the genuineness of the article.

The *New York Times* published the article in its Sunday edition, August 30, 1908. Immediately it became a campaign document. Grover Cleveland might be dead but there were in America many thousands of voters who were likely to be swayed by what he said. If by the magic of the printing press he was made to speak from the grave his words had all the more weight for such people.

Some influential persons who had been close friends of Mr. Cleveland would not believe that he could have been induced to set down for publication the thoughts contained in the article that bore his signature. Leaders of the Democratic party who doubted that he would have said these things, who doubted even that he had ever believed them, protested bitterly. The editors of the *New York Times* continued to investigate the manner in which this article had been brought into existence.

For several reasons the signature had been cut from the manuscript. One of the things that prompted this was a feeling that some autograph collector might be tempted to steal it as it followed the usual channels of newspaper copy; another, probably, was a feeling that it might serve

a good purpose in case the document was questioned. At last, in September, in the midst of the campaign of Taft against Alton B. Parker, the Democratic candidate, the executives of the *New York Times* sent the typed manuscript, the signature which had been cut from it, and certain other data to the district attorney of New York County. Shortly afterward Gideon Gilbert was indicted on the charge of grand larceny in the second degree.

He was released in bail and then, on the eve of his appearance in court to answer to the charge, he disappeared. He was finally arrested in San Francisco, brought back to New York and in the winter his trial began. One of the witnesses for the prosecution was my father. He testified that the supposed Cleveland script had been written on an L. C. Smith typewriter which was an exhibit in the case. He also testified that the signature was an imitation of Mr. Cleveland's handwriting.

"Who," the prosecutor asked Mr. Carvalho when he took the stand, "wrote the Cleveland signature which you have testified is a forgery?"

"Gideon Gilbert," he replied.

The typewriter which figured in the case was a machine which had been used by a public stenographer who had prepared the typescript to which the name Grover Cleveland had been signed in ink. This typist and her associate testified that

they had performed the work for Gideon Gilbert, copying from the original draft which he had written in their presence in their office. The significant part of their testimony was the date of the occurrence. They had written it three weeks after Mr. Cleveland died.

In spite of such damaging testimony the jury which heard the evidence brought in a verdict of not guilty.

Long afterward I was looking through my father's scrap books as I waited in his office while he stared down the barrel of his microscope at some pen scratches; and I began to read the old newspaper clippings which he had preserved as souvenirs of this affair.

"You think he was guilty in spite of what the jury decided?" I propounded my question as a challenge, but Father was not disturbed by my tone.

"It depends upon what you mean by guilty," he temporized. "I have not the slightest doubt that the signature on that typescript was a forged simulation of the handwriting of Grover Cleveland. Before the trial ended the defense conceded that it was not a genuine signature of the former president. Richard Watson Gilder, then the editor of the *Century Magazine* and a close friend of Mr. Cleveland in his lifetime, had given testimony similar in its conclusions to mine. Mr. Gilder

owned nearly a hundred specimens of Mr. Cleveland's writing. He knew, as I did, that Grover Cleveland could not have written it.

"There was no doubt either, at the end of the trial, that the typewritten sheets of the script had been prepared by those public stenographers at the time they had testified."

"After Mr. Cleveland was dead?"

"Yes; but this does not mean that in the full sense of the word the written article was spurious. I do not believe that it was. It was shown by this journalist conclusively that he had been in contact with the ex-president. There could have been no other object in view in such contacts, I think, than the publication of some expressions of Mr. Cleveland's opinion. I was satisfied as I listened to the evidence in that case that Gideon Gilbert had persuaded Mr. Cleveland to give him some interviews or else to write some articles under the guidance of Gilbert. Gilbert was a journalist. He knew what would make 'copy.' Mr. Cleveland had little training along such lines. Perhaps Gilbert had put in a great deal of time on the enterprise.

"At any rate when Mr. Cleveland died Gideon Gilbert was possessed of certain information which was to him what raw material is to the manufacturer; and by reason of Mr. Cleveland's death it was spoiled material unless it could be

authenticated. It may be that the article which *The Times* published was not couched in the language that the dead man would have employed, but even that fact does not render the production spurious. Many men in public life rely on persons with special training to put their thoughts intended for publication into suitable form. I am inclined to believe that Gideon Gilbert was simply intending to complete a work which Mr. Cleveland actually had begun. I imagine he had interviewed him and prepared the article which he sold from the notes of that interview. After all, a criminal trial is not the best means in the world of getting at the truth of any situation. Any affair of humanity requires sympathetic reviewing for a full appreciation of the facts. Prosecutors are always convinced that it is necessary for them to paint the creatures they seek to convict as monsters; likewise counsel for the defense always try to show their clients as Galahads. Somewhere between these views is the truth.

“I suppose Gideon Gilbert had been counting on the money which he hoped to receive for the interviews he had obtained from Mr. Cleveland. His private affairs were in somewhat tangled shape. He needed money as badly as we all need it at times. The happiness of several persons dependent upon him required him to get money. So, I suppose, he took some desperate chances to evade the

consequences of a blow from Fate. Mr. Cleveland's death was that blow. The desperate chance, I think, was his decision to sign the manuscript. Probably it could have been sold without that signature."

"But why did he run away if he was innocent?"

"Running away has nothing to do with guilt or innocence. Perhaps he realized he had a weak defense. I was inclined to sympathize with him, even though I testified against him, for the reason that I saw in his predicament a situation like that with which I am constantly confronted. The normal processes of his work are not sufficiently understood by the run of mankind to make it likely that a jury would understand that what he had done was no more than that which a woman does when she puts rouge on her cheeks or carmines her lips. In my case whenever I take the stand I have to overcome the natural tendency of people to doubt what they cannot understand.

"In the matter of convincing laymen that no two typewriters produce the same kind of writing I meet that human failing. I meet it when I testify concerning handwriting, papers, inks, mucilage and everything else that concerns my profession and problems of proof."

Not long after we had this discussion he elaborated on the individual quality of the work produced by typewriters. In his hearing I had

referred to the marked resemblance of twins, sisters who were friends of mine. I had said they were as much alike "as two peas in a pod."

"You mean," he corrected me, "as different as two peas in a pod."

"I don't at all," I protested. "Even the members of their family can't tell which is which for sure. They play all sorts of tricks at home and in school they used to——"

"I am not referring to the difficulties which confront those who try to say which twin is which," explained Father. "As for that, I'll bet I could easily point out several hundred characteristics of those girls by means of which they can be distinguished, one from the other; but I am calling your attention to a fallacy that hides itself in a common error of speech. Two peas in a pod are not alike. There never have been two peas that were exactly similar. If every child was taught to say 'as different as two peas in a pod' perhaps there might come a time in this country when we could hope to have jurors who would understand that all things, if closely studied, will reveal characteristics which distinguish them from all others. If the thing studied appears small under the scrutiny of human eyes then, with the service of a microscope, we may approach it with godlike eyes. See that map of New York which hangs there?"

He indicated the wall above his desk.

"The rectangles drawn there which represent counties resemble one another superficially. But suppose you go to the places which are indicated on that map. Consider what variation you will find! So it is with typewriters, bullets, finger-prints, teeth, toes, and everything else."

"What is it you are driving at?" I exclaimed at last.

"Typewriters," he said. "I am trying to make clear to myself some of the facts of this curious profession of mine. In another world I suppose I might be, instead of a handwriting expert, an expert in some other field of exploration. Handwriting is important because of the part it plays in human intercourse; in trade, love-making, politics. Now humanity is rapidly changing its hand writing for machine writing and so, if I am not to be left on the shelf, I must catalogue all the information there is about typewriters. I must learn how to explore and map the capes and promontories, the mountains, the precipices, the caverns and craters of type faces.

"There is," he continued, "a prevalent belief that fraudulent typewriting cannot be detected. The truth is that typewriting generally can be identified as the work of a particular machine. Not only is this true but the work of a number of typists, all using the same machine, likewise can

be distinguished. Curiously enough the office in which any typewriter is housed usually contains a continuous record of that machine's history. I use history here in the sense that doctors employ the word. You have a medical history. You had measles at a certain age; you sprained your ankle at another time; then you had some other ailment, influenza for example. The history of typewriters is the record of their deterioration. Gradually the letters cease to have that perfection of alignment which is necessary to pass the inspectors at the factory; the letter T, because of some structural defect, begins to slant to the right; a serif is defaced from the letter H; other letters become worn or broken. The spacing between the letters begins to vary.

"The typewriter manufacturers are constantly altering their products, changing type designs and proportions. The work of a Remington of 1898 is as distinct from the work of a present-day Remington as either one is from any Underwood machine. In examples of the work of a dozen machines these differences reveal themselves to the expert as easily as subtle differences in postage stamps reveal themselves to the philatelist. There are thousands of possible particulars in which distinctive qualities may be developed.

"In other words typewriters become scarred and develop mannerisms just as human beings do. The

man who thinks he can escape detection by using a typewriter to perpetrate some written fraud is as likely to be exposed as the burglar who leaves his fingerprints on the dining-room table."

One of the important cases in which my father's services were required to establish the identity of a typewriter which had been used to produce some anonymous communications was the result of a rivalry in the Congress of the United States.

There had been a fight in Congress over an appropriation for submarines for the navy. There were proponents of two types of submarines in the House of Representatives. Several anonymous letters were sent out from Washington to constituents of a representative who was a leader of one of the groups. These letters attacked the good faith of the congressman, and suggested that he had been bribed. As a result of this unfair attack an investigation was begun by a committee of the House of Representatives of which H. S. Boutell was chairman. It was suspected that a certain congressman had written these anonymous letters, or that he had, at least, caused them to be written.

Both letters were handed to my father by Representative Boutell.

Father quickly determined that these letters had been written on the same machine. He was able

to say what the make and model of that machine were.

Investigators working for Representative Boutell's committee then discovered that the congressman suspected of having written them actually had in his office a typewriter of this make and model. Samples of writing were obtained from this machine and given to Father. He enlarged originals and samples. Next he juxtaposed words appearing in the originals and the other writing from the suspected congressman's typewriter. Before the inquiry was finished the author of the anonymous documents confessed to the investigating committee that he had written them.

"How could you be so sure?" I asked my father one time when he mentioned this case.

"First I determined what kind of a typewriter had been used to prepare those letters. When I could say definitely that it was, for example, a Smith-Premier I had reached that stage of the hunt which the police have gained when they learn that they are hunting a red-headed man. Next I established the period in which that particular model had been manufactured. Now it was as if my red-headed man was revealed to have but one leg. With the first step I had eliminated all of the typewriters in the world except Smith-Premiers; with the second I had eliminated the vast majority of Smith-Premiers. I do not suppose there were

more than twenty thousand of this particular model in existence. But we knew we did not have to hunt through every one of the twenty thousand. We knew our machine was in the city of Washington. I am sure there were no more than two or three hundred machines of that make and model in the capital; probably there were fewer than a hundred.

"In the words 'WASHINGTON POST' written in capitals in one of the anonymous letters I saw that the O stood above its neighbors. This defect of alignment was characteristic. No one of the Smith-Premier machines in Washington which lacked this defective characteristic could be the machine we wanted. Under my microscope a score of other defects were revealed. Each additional defect that was discovered in the originals and that was found also in the suspected machine applied a crushing force of logic to the proposition that all of the writing had been done on the same machine.

"In this case the work was simplified by the broad powers of Mr. Boutell's committee. A certain man was suspected. As soon as I identified the make and model of the typewriter that had been used his investigators went straight away to the office of the suspected man and found such a typewriter. It is not always so easy.

"One of the tools which I use in discovering the

characteristics of the work of a typewriting machine is a protractor, the slanting lines of which enable me to discover the degree of each letter's divergence from perfect alignment. Another tool is a piece of plate glass marked with rectangles, each of which is of a size just sufficient to contain the symbols to be examined. With such a gauge divergencies are quickly revealed. But this is technical, and not so interesting to you, I know, as murders, forged wills, divorces, secret writings . . .”

## CHAPTER XVIII

Secret writing! What a tremendous thrill I used to get from the use of invisible ink. My father taught me the formula when I was about ten years old. For many days I played a fascinating game in which I was a captive held for ransom and the unseen words written in lemon juice were a message of despair addressed to some handsome, though fictional, rescuer, an astute creature who would know, of course, that the way to decipher the hidden communication was to hold it near a flame. Father taught me that game in the midst of a genuine intrigue in which he became involved, an affair which was an important event in the sequence of happenings that resulted in the Spanish-American war. My eldest brother used to say that the war was declared in our home and there had been so much excitement in the house that we children were disposed to accept his statement without question.

It happened while we were living at Breezy Point, at Far Rockaway, on the very shore line of America, just inside one of those sandy arms that stretch outward from the narrows of New York Harbor. One night a man appeared there who insisted upon talking with Father behind locked

doors. Soon afterward other men came to join the first one and some of these attached telegraph instruments to a kitchen table that was placed in the hallway, while others with an amazing facility strung a wire to the village telegraph office. We children were mad with curiosity; but then, so was my mother, and Father was brusque in his refusal to explain what it was all about.

My brother was too sharp to be denied. It was something, he informed us, concerning the war-like intentions of the Spanish government. We should all, he said, be blown out of our beds by gunboats before morning. But when morning came, with all the rest of the world we were able to penetrate the mystery. It was all printed in the *New York Journal*.

In Cuba at that time a Spanish army under Captain Weyler was striving to exterminate a rebel army which was hiding out in the forests trying to comfort lean bellies with valorous shouts for *Liber-tad*. The echoes of those shouts and the miseries of starving women and children in the cities and towns of the island were caught and reflected in the headlines and pictures of American newspapers. An undersized American was in command of a band of daredevils and soldiers of fortune who had gone to Cuba prepared to fight in support of the rebels. The name of the undersized American was Fred Funston. He was from Kansas.

In Washington and in New York other Cuban patriots had formed a junta. This organization was striving in every possible way to foment a war between the United States and Spain. In Chicago and in scores of other American cities fashionable women were busying themselves with the collection of funds for starving Cubans. Much of the activity in connection with the situation was pointless—except that each day found more Americans persuaded that the only possible way to improve a bad condition was to make it worse: to declare war.

Of these matters I had only the vaguest sort of understanding. It was not until long afterward that I learned just what it was that Señor Enrique Dupuy de Lome had done; what my father's contribution had been; and what a calamity had been brewing in our home on Breezy Point when Father taught me how the Spanish Ambassador might have avoided humiliation deeper than any other diplomat of modern times has suffered.

Señor de Lome had written a letter. It was a frank letter, addressed to his friend and fellow countryman Don Jose Canalejas. It was never intended by the ambassador that his critical comments on William McKinley, the President of the United States, should be seen by any eyes other than those of his friend Canalejas; but he reckoned without the resourceful and scheming junta.

Señor Canalejas, it is generally supposed, received the letter from his friend, the Spanish Ambassador at Washington, while he was quartered in a hotel in Havana. He was there, this editor of *El Heraldo* of Madrid, as the unofficial agent of his government. He was an interested observer of everything American that was in or about Havana. Clara Barton of the Red Cross Society was in Havana with a view to arranging for relief for the suffering population. Julian Hawthorne, hoping momentarily to be a war correspondent, with the yacht *Buccaneer*, under charter to W. R. Hearst, was in the harbor detained by the Spanish authorities for some violation of regulations. The battle-ship *Maine* was lying at anchor under the guns of Morro Castle and near by was the torpedo boat *Cushing*. By straining his imagination as well as his eyes, Don Jose Canalejas might also see the American battle fleet lying under the American fortifications on the Dry Tortugas, only a few hours of steaming distance from Havana Harbor. There was plenty of disquieting evidence visible to the Spanish editor-statesman, evidence that the slightest rupture in the existing fabric of relationships might precipitate a war—and then his hotel room was rifled by an adroit and patriotic thief.

In New York some days later a spokesman for the junta, a Mr. Rubens, explained to reporters

that he was personally responsible for the letter and that it had been in his hands for a month. He was asked how that letter had come into the possession of the junta.

"For obvious reasons I will not give the details," he said. "This much I will say: We received the information that such a letter had been sent to Señor Canalejas by Dupuy de Lome and we took steps to secure it. Our interest in the insult to the President of the United States was only incidental. There were admissions in that letter of the progress of the Cuban cause that made it of tremendous importance to us. The letter enables us to expose the character of the commercial treaty with which Spain thought to curry favor with this country.

"A man had to risk his life to obtain that letter. It was brought to us in New York by an agent from Havana. It was too precious to be trusted to our ordinary mail channels."

This was the letter, or at least a facsimile of it, which was brought to our home on Breezy Point. Senor Canalejas for weeks had been at home in Madrid when my father spread it on his desk at Far Rockaway. He had a microscope and numerous standards for comparison which were beyond doubt the authentic handwriting of the Spanish Minister. The question which had been propounded to my father was simply this: Was the

handwriting of the compromising letter that of the Spanish Minister whose name was signed to it?

The letter, written on stationery of the Spanish Legation in Washington, was in Spanish, but the translation which follows was what American readers of newspapers read with chagrin at their breakfast tables. President McKinley read it. Minister de Lome read it. Diplomats, soldiers and sailors read it, and prepared for action. This is the translation of that letter:

“Señor Don Jose Canalejas,

“My distinguished and dear friend:

“You need not apologize for not having written to me; I also ought to have written to you, but have not done so on account of being weighed down with work and we are quits.

“The situation here continues unchanged. Everything depends on the political and military success in Cuba. The prologue of this second method of warfare will end the day that the Colonial Cabinet will be appointed and it relieves us in the eyes of this country of a part of the responsibility of what may happen there, and they must cast the responsibility upon the Cubans, whom they believe to be immaculate.

“Until then we will not be able to see clearly, and I consider it to be a loss of time and an advance by the wrong road the sending of emissaries

to the rebel field, the negotiating with the autonomists not yet declared to be legally constituted, and the discovery of the intentions and purpose of this government. The exiles will return one by one, and when they return will come walking into the sheepfold, and the chiefs will gradually return. Neither of these had the courage to leave en masse, and they will not have the courage to thus return.

"The message [the President's message to Congress] has undeceived the insurgents, who expected something else, and has paralyzed the action of Congress, but I consider it bad.

"Besides the natural and inevitable coarseness with which he repeats all that the press and public opinion of Spain have said of Weyler, it shows once more what McKinley is; weak and catering to the rabble, and, besides, a low politician [the literal epithet used here by De Lome was 'politicastro'] who desires to leave a door open to me and to stand well with the jingoes of his party.

"Nevertheless, as a matter of fact, it will only depend on ourselves whether he will prove bad and adverse to us. I agree entirely with you, without a military success nothing will be accomplished there, and without military and political success there is here always danger, that the insurgents will be encouraged, if not by the government at least by part of the public opinion.

“I do not believe you pay enough attention to the rôle of England. Nearly all the newspaper canaille which swarms in your hotel [in Havana] are English, and at the same time that they are correspondents of the [New York] *Journal*, they are also correspondents of the best newspapers and reviews of London. Thus it has been since the beginning. To my mind the only object of England is that the Americans should occupy themselves with us, and leave her in peace, and if there is a war, so much the better, that would further remove what is threatening her—although that will never happen.

“It would be most important that you should agitate the question of commercial relations, even though it would be only for effect, and that you should send here a man of importance in order that I might use him to make a propaganda among the Senators and others in opposition to the Junta and to win over exiles.

“Things are moving slowly here. I believe we are too deeply taken up with little political matters, and something very great must be done or we shall lose.

“Adela returns your salutation, and we wish you in the new year to be a messenger of peace and take this New Year’s present to poor Spain.

“Always your attentive friend and servant, who kisses your hands,

ENRIQUE DUPUY DE LOME.”

LEGACION DE ESPAÑA.  
WASHINGTON.

Mr. Brooks Cason

Dear Sir: I will be  
at my office 1705 Corn.  
ave until 1 p. m.

Truly yours  
A. Devez de Lome

Monday eve 16<sup>th</sup> 96.

Minister de Lome's handwriting as shown in a letter to a friend.

emigrantes.

Si su Amblard crevieren  
despiadado en sufrir  
~~verdad que~~  
seanle o perdono

Así lo deseo a su hijo  
y si lo haces por mí  
el próximo año en Navidad  
de su país y breve en aquella  
señal a la pobre España  
hoy en desventura y  
humillación

Enviado por su hijo

Last page of the Canalejas letter.

Several days after publishing this letter the New York *Journal* printed the letter which my father had sent to the editor confirming the opinion which had earlier been telegraphed to the newspaper directly from our home. This letter read:

“Editor New York *Journal*:

“The eight pages which constitute the alleged letter of Señor Dupuy de Lome, Spanish Minister to the United States, to his friend, Señor Canalejas, the Spanish editor, and printed in this morning’s *Journal*, the originals of which I have compared, not only each with the other, but with what purports to be the genuine and admitted hand-writings of the Minister, lead me to the opinion and conclusion that at least five pages of this letter are unquestionably in the handwriting of the person who is the writer of the admitted genuine specimens.

“I am impressed with the belief, after a careful examination, that the eight pages, if all written by Señor de Lome, were done so, not at one sitting, but at different ones. There appears to be an absence of harmony separating them as follows: Pages 1, 2, 3, 4, and 8 forming one family or group, and pages 5, 6 and 7 another.

“Attention is also directed to the fact that but two of these pages have on them the legation im-

print, and but five of them obvious creases or folds. The characteristics of hand possessed by Minister de Lome and exhibited in the admitted hand-writings fulfil and obtain in the five pages 1, 2, 3, 4 and 8 in a marked degree, both as to pen pressure, angle and relationship to a base line. These characteristics are not so marked in pages 5, 6 and 7.

"It will be noted that in the letter to the editor the signature is written Enrique Dupuy de Lome. Whereas in the two signatures submitted to me only the initial of the Christian name appears.

"In the letter to the editor also there seems to be a failure to complete his given name, and the rubric is missing, notwithstanding the personalities of the writer so far prevail as to enable me to say the same was written by the writer of the admitted standards.

"It will be noted also that while the letter to the editor is in Spanish the English running and free-hand incorporates itself with what might be called Spanish methods, and the writer of the admitted standards certainly evidences his ability to write the freest kind of a hand. To separate these hands would require considerably more time than is permitted me, but I have treated this writing the same as I should were it simply an ordinary case brought to my attention.

DAVID N. CARVALHO."

Policastro, in the opinion of some scholars, does not mean in Spanish the equivalent of the English words, low politician. It means rather an unskilful politician. Even so, the fat was in the

Yours truly  
 C. Dupuy de Lome

An undisputed signature of the Minister.

ROOMS	NAMES
123	Paden Bath
24	C. Dupuy de Lome
9	A. J. Swell,

The signature of the Spanish Minister on a hotel register in Washington.

fire. Minister de Lome's usefulness in Washington was at an end. He resigned and with his charming wife sailed for that poor Spain over which he had sighed in his indiscreet letter. He wrote it in December, 1897; it was filched soon afterward and published in February, 1898.

On the morning that my father's assertions concerning the authorship of the letter were printed, and read in Washington, on that morning the State Department issued a curt announcement to the press which said:

"Minister de Lome does not deny writing the letter."

Poor Spain! Poor Spaniard! There was no need of my father's endorsement to prove his handwriting. Every hostess of consequence in Washington was entirely familiar with his penmanship. It was scrawled on the register of the Hotel Arlington where he sometimes passed the night. It was in the letter files of scores of influential men of the capital. Literally everybody of moment *knew* that he had written it; there was nothing else for him to do but to go home, and the sooner, the better.

Probably it would have ceased to be an important incident in the affairs of the two countries but for a much more dreadful occurrence. The Maine was blown up in Havana Harbor.

In the days that followed we children used to gaze fearfully at sea for Spanish battle-ships on the horizon. Our eldest brother had assured us that Spain would get even with us for what Father had done. We should have our home knocked down around our ears, he said. When Admiral Cervera surrendered we felt as if we, personally,

had been delivered. I think it was about then that I ceased to write so many notes with the invisible ink of lemon juice.

## CHAPTER XIX

Murders, forgeries and other crimes involving ink were not half so fascinating to my father, I think, as the old writings which he was frequently called upon to examine. He was necessarily a collector of incunabula and the library at home contained examples of every sort of writing that men had produced in seven hundred years. He was familiar with every use to which ink had been put during forty centuries and had written a book on the subject which is to-day, I believe, a standard work. Naturally, then, he was excited at the prospect of handling and studying a palimpsest which might prove to be a first century New Testament. This was, for him, real adventure.

The document in question was the famous Huntington manuscript housed in the Museum of the Hispanic Society in New York. An able palæographer, who, for the purposes of this account, will be called by the name of Dr. E. B. Holmes, after studying the 432 sheets of parchment in the manuscript, announced that under the thirteenth century text he had discerned other writing of much greater importance. Dr. Holmes contended that he had been able to read traces of writing which had been invisible to others. He said that

there were the gospel of St. John entire, Acts and other books of the New Testament without a missing word. For all Christian ministers there was, however, a disturbing note in the supposed discoveries because Dr. Holmes insisted that his findings would make it necessary to alter established forms of the Christian religion. Heaven and Hell, baptism, resurrection, the sacraments and other doctrines of Christianity were, Dr. Holmes had asserted, not justified by anything in this Bible which, if genuine, would of course antedate any existing authority.

Discussions of Dr. Holmes's work were matters of deep concern not only to clergymen but to many other scholars, and the marks showing faintly through the thirteenth century text became the subject of a debate that promised to grow increasingly bitter. Dr. Loew of Cambridge, Dr. Kirssopp Lake of Harvard, and others equally distinguished made critical comments on Dr. Holmes's conclusions; other scholars defended him.

Because of David N. Carvalho's double equipment as a document expert and as a student of ancient Latin manuscripts he was retained by the New York *Herald* to investigate the contentions of Dr. Holmes. What Father was asked to do was to see if he could find any justification for the assertion that the Huntington manuscript con-

tained an undertext of partially erased writing that would therefore be the most ancient and purest form of the New Testament.

"Well," said Father when he returned from his examination of the manuscript, "it was simply glorious to be able to handle anything so precious; but it is not a palimpsest. Archer Huntington, who owns it, disassociated himself from the controversy some time ago. Nevertheless it was an adventure. Holmes might have been right. Such a prize may yet be found. There are many splendid things in the world that are still hiding themselves from collectors. It was as much fun as hunting for buried treasure."

After dinner he was still tingling over the affair.

"You see," he explained, "writing materials in the dark ages were so hard to get as to be out of the reach of common men. Scholars in monasteries were provided by their organizations with the means of recording their studies but since their writing surface was the skin of animals they were, of course, restricted in their output. Some of those old fellows did not differ from modern authors. They became imbued with the notion that what they had to say was more important than anything ever written. So they were tempted at times to provide themselves with a writing surface by erasing older work. A thirteenth cen-

tury monk, conceivably, might have destroyed a thing that would be unutterably precious in the sight of men now living. Some of them were ignorant; some were fanatical. Such minds could easily justify the destruction of any writing which seemed to them unimportant. However, I do not believe that any of them would have had the heart or the courage to erase so valuable a text as Holmes believed this one to be. A monk destroy a Bible? The idea is preposterous; and if one had destroyed a thing that antedated his own times by a thousand years something drastic should have been done to him. He should have been compelled to wear a hairshirt habitually."

As Father talked he dictated the report which he was to make to the New York *Herald*. From his "scratch," that voluminous record of his daily movements that sometimes served him when his word was called into question on the witness stand, I have taken what follows, chiefly because it illustrates his method of attack on any question involving an ancient manuscript. This is what he wrote:

"Largo quarto, approximating a folio. The volume, which is most sumptuously bound, contains 432 numbered pages, one page of which is mostly blank. Its condition is nearly perfect and in a wonderful state of preservation except a few pages which appear to have been more or less

wetted and have 'buckled.' Some of the ink in the last portion of this MS. has flaked off. It is profusely rubricated—Capital letters to each chapter, some of them consisting of small miniatures in colors of the most elaborate and intricate kind.

"It is indexed according to chapters and is a continuous piece of writing purporting to have been executed by one hand. I am inclined to believe, though, it was done by several hands. There are two columns to the page—a book lectionary hand of about the early portion of the thirteenth century. The rubricating, decorating and illuminating is more like the late fourteenth or early fifteenth century. Some of the columns include lines of writing in a smaller hand—the margins are very wide, above and below and on the sides—between columns are wide spaces, every page, however, in this respect being a duplicate of the other.

"On these vacant portions there is positively no under-writing, either present or absent, of any kind—here and there, however, some places are disturbed in small isolated spots where a soil or other mark may have been cleaned off, but they are the exception. The material on which the writing appears, I am more disposed to believe, is parchment and not vellum, assuming the latter to have been a product of the calf and not sheep, as in the case of 'parchment.'

"The writing of the first page of the text is a

recto page, and its back, of course, its verso. This recto appears to be written on the flesh side of the parchment, while the next one or verso is the hair side, page three is the hair side. This rule seems to obtain among those pages I examined—flesh side opposite to a flesh side, and hair side opposite to a hair side. The ink writing throughout is not intensely 'black,' but slightly rusty brown and is made with brush or pen. The writing sits on ruled lines, which are especially observable on the blank page. The leaves of parchment are not all of equal quality. The MS. as a whole is exceedingly clean and white, and its pages, as before stated, undisturbed, except as mentioned.

"So that, on the assumption that this MS. is indeed a palimpsest, if any more ancient and original writing had been removed—whether in whole or in part—its location must of necessity have been in those portions of it now occupied by the columns of the present and last writing. These columns at first glance do not indicate or give any evidence of the parchment on which they rest having a disturbed surface, to the contrary—nor is the equality or the thickness of it apparently different from the margins—one is not at first attracted by anything except the bare lines which constitute the marks of the individual letters; but back of the present writing appear blurred letters in the sense that they have no definiteness and ap-

pear dimly behind the present or upper writing.

"The ink employed for the present writing was unquestionably a chemical one, that is to say, it owes its blackness or color not to an incorporated pigment, but because of the affinity of the constituents with the oxygen of the atmosphere, hence, the inks employed must be and are characteristic of a tanno-gallate of iron ore and which in the thirteenth century and even earlier ones were employed in preference to the so-called Chinese (India) black ink. It, the chemical ink, wrote with much more fluency, facility and smoothness, not washing off like a carbon ink (it could after drying only be scraped off).

"It is a remarkable fact that the scribes of those early centuries appear to have discovered that such a chemical ink would bite into parchment and immediately blacken on account of something contained in the parchment or vellum itself, and could not be washed off, whereas a carbon ink composed of lampblack, honey, gum and water, such as the Chinese (India) black ink, could. Hence it is that in most of the MSS. of centuries after the 7th or 8th, the inks are variations of tanno-gallate of iron, with added color or not at pleasure.

"Thus, in the MS. before us we are confronted with tanno-gallate of iron inks and with their well-known phenomena substantially exemplified. They have sunk into the parchment and do not, as

would be in the case of a carbon ink, lie on the surface. This being true, the inks employed to write the present MS. did sink into its pages wherever they came in contact with them—some places they sank deeper than others or seem to do so where the skin is thicker.

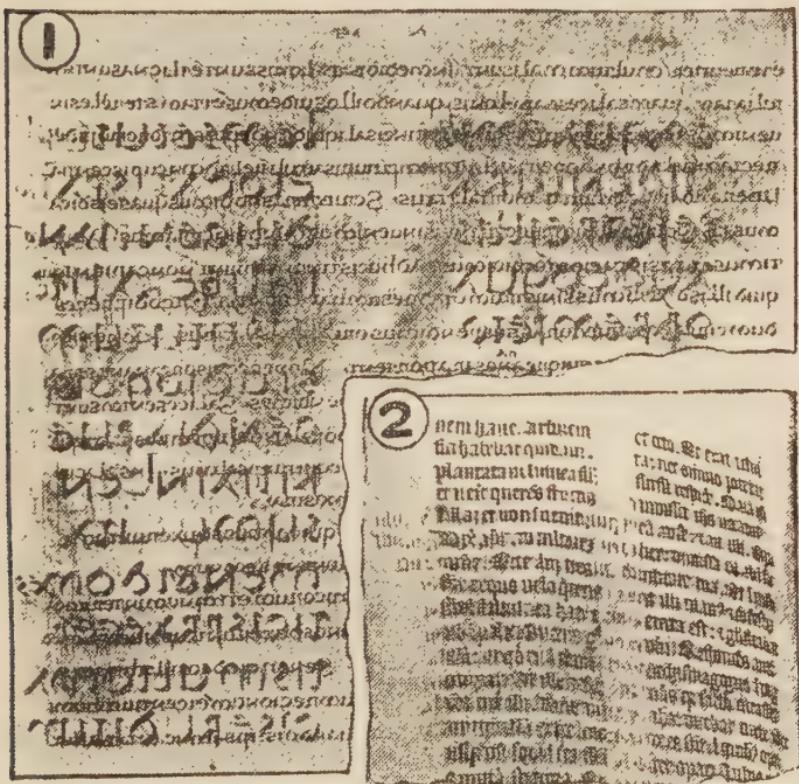
“Hence, the upper or present writing can be seen through the skin constituting the parchment, and its regular appearance looks like another and under-writing—but of the same size, angle, width of line, spacing between words, and below the last and larger writing and nowhere else when observed by transmitted light. The letters which constitute this under-writing are, as seen reversed, not due to any offset from writing on its opposite page—but the back of the writing showing through the parchment of a recto to its verso—or a verso to its recto.

“All this being true and the so-called under-writing being now accounted for, it follows as a logical deduction that this thirteenth century MS. is not a ‘palimpsest,’ but only what it assumed to be—a most magnificent specimen of handwriting of about the early thirteenth century.”

With this report my father sent a letter to *The Herald* in which he said:

“I have examined in the library of the Hispanic Society of America (115th Street and Broadway) the old Latin manuscript which is alleged to be a

'palimpsest,' that is to say, one from which the first writing had been more or less removed in



1. A true palimpsest: the large letters are the earlier writing; the smaller text is the later.
2. A page of the Huntington manuscript with the "offset" or writing on the reverse side showing through.

order to make its leaves ready to receive a newer writing; furthermore that the first or underwriting appertained to the third, fourth or fifth centuries, and that the later or upper and visible

writing was written in the early thirteenth century (a lapse of about 1,000 years).

"I was informed also that the so-called under-writing had not altogether been completely erased, but was still visible enough to permit the text to be read, translated and interpreted into English, which when accomplished was found to be an early version of the Bible (New Testament). My examinations therefore in no wise had to do with the subject matter of the text, but solely and only with the question as to whether or not on its numerous pages there had ever been writing before the present or visible one was placed there—either in whole or in part.

"In my examinations I employed proper magnifying glasses, color filters and other necessary adjuncts which might assist me in forming a correct opinion."

I asked my father if he could explain the curious error which Dr. Holmes had made.

"I prefer the explanation of Dr. Lake of Harvard," he replied. "Dr. Lake believes that it is the result of an unusual form of eye strain, in which words that have impressed themselves on the eye reappear sometimes on a blank page. Perhaps in a dream you have had the experience of seeming to read a book. This happens at times when you are tired from having read too long. Fast asleep though you are, your mind carries you through

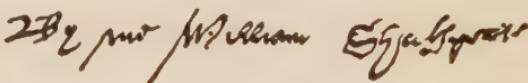
a dream experience in which you have to invent on the instant what you seem to be reading."

"You think then, that Dr. Holmes was—dreaming?"

"Precisely," he retorted.

## CHAPTER XX

There was always the suggestion of something magical in my father's work but to me he seemed most like a wizard when his problem was to peer into the depths of his microscope and see far into the past. He did this again and again and when he was called upon to render an opinion on some ancient manuscript. He was as sure that Shake-

A copy of the signature from the will of William Shakespeare in the British Museum. The signature is handwritten in cursive script and reads "282. myr William Shakespear".

A copy of the signature from the will of William Shakespeare in the British Museum.

peare could not have written the great works attributed to him as if he himself had lived in Elizabethan times and had been in the confidence of Bacon, Queen Elizabeth and all the literary people of her realm. Stored away at home he had a great mound of notes on the subject. He had many filing cabinets and no amount of indignation on the part of myself or the others who in turn kept house for him could compel him to authorize their disposal.

Fascinating mysteries were stored in those cabinets.

In one was a pile of notes bearing on the true identity of a battle-scarred Carolina school master. From a study of two collections of handwriting my father had convinced himself that this man was actually Marshal Ney, one of the greatest of Napoleon's lieutenants. He had convinced himself in the same way that he had arrived at opinions of identity in so many, many cases of crime in ink. There are in the world to-day many persons who subscribe to a belief that Michel Ney, through the connivance of friends, was permitted to escape by those who were supposed to have executed him in back of the Luxembourg Gardens on December 7, 1815. They entertain their views for a variety of reasons, but my father clung to his on a basis of reasoning that is generally accepted in courts of law as evidential.

After Waterloo, where Ney fought Wellington at Quatre Bras, the Marshal took refuge with a relative of his wife at the château of Bessonis. There he was finally arrested in the name of Louis XVIII by a detachment of gendarmes. The prisoner was sent to Paris, where he was imprisoned within the walls of the Conciergerie and on November 7, 1815, this man who had fought hundreds of battles for France, and never one against her, was placed on trial for high treason. Finally he was condemned to death by the Chamber of Peers, a tribunal which he had preferred to the

court martial before which he had first been brought.

History testifies that Marshal Ney was taken in a carriage through the broad alleys of the Luxembourg to a buttressed wall where stood a picket of sixty veterans who had sometimes been commanded by this distinguished soldier. In histories it is printed that thirteen balls pierced the body of Marshal Ney when the firing squad received its order. In histories it is recorded that the body of the victim was taken two hundred yards away to the Hospital of the Maternité and laid there until his relatives had it conveyed in strict privacy to the cemetery of Père Lachaise and there interred. That is history; and yet it was no less than Ney's Emperor who once said that history is "nothing but fiction agreed to." So much for the history; now for the legend:

There were more powerful forces than Louis XVIII in France at the time of Ney's trial. Wellington was still in Paris, Wellington whose victory had restored the Bourbons to the throne, Wellington who had no wish to see a brave man executed to soothe a king he did not admire. The legend says that Wellington saved Ney, but the legend does not stop there. It suggests that the veterans of the firing squad loaded their own guns; that there was no *coup de grace*, and half a dozen other possibilities that contribute to a

gratification of the desire of all humanity that a story shall have a happy ending.

The legend, which fancies the fugitive assisted aboard a sailing vessel destined for an American port, has fed itself for a century on such evidence as the fact that Madame Ney never troubled to erect a monument over the grave in which, history says, the body of her husband is contained. But in America the legend is strengthened by the undoubted fact that a man named Peter S. Ney, who first appeared in South Carolina about 1819, was accepted by scores of persons who knew him as Marshal Ney.

"He was tall," said Colonel John A. Rogers of Florence, S. C., in 1888, "I suppose about six feet high; large, not corpulent, but muscular; a little round-shouldered, though otherwise erect, with fine military form and carriage. He looked every inch the soldier even when an old man. His head was slightly bald on top. His hair was not a decided auburn, but what might be called a reddish-blond. His complexion was fair and ruddy; chin round; mouth tolerably large; lips compressed; nose high and large; eyebrows heavy and full; forehead broad, high and massive. His eyes are hard to describe. They were a dark blue, verging on gray with remarkably large pupils. When quiet they had the mildest expression, but when excited they were terrible. He spoke English well, though

with a slightly foreign accent. He appeared to be more of a Scotchman than a Frenchman. He was very neat in his person and dress. He always wore a long blue coat, cut in a semi-military style. He was very reserved in his manners and would allow no one to take the slightest liberty with him. I was in the schoolroom in 1821 (Brownsville, Marlborough County, South Carolina) when a newspaper was brought to him by one of the boys containing the announcement of Napoleon's death at St. Helena. He read it, turned deathly pale, fainted, and fell to the floor exactly as if he had been shot. Some of the older scholars threw water on his face, which soon revived him. He dismissed his school, went to his room, and shut himself up for the balance of the day. He burnt a large quantity of his papers—perhaps everything that he thought might lead to his identity. Among other things burnt was a very exact likeness of the Emperor Napoleon. The next morning Mr. Ney did not make his appearance as usual, and my father went to look after him. He found him with his throat cut. The blade of the knife was broken in the wound. This probably saved his life."

This statement and many others, more or less convincing, is to be found in a work called "Historic Doubts as to the Execution of Marshal Ney." It was written by a Confederate officer, the Rev. Mr. James A. Weston, rector of the Church of the

"Dear Rockh." Ney.)

Continued

To that cathedral,

Examples.

Examples of P. S. Ney's handwriting.

Salus Franconie. J.

Ney.

Usually  
magistrate consideration

For all those Sirinius.

Examples of Marshal Ney's handwriting.

Ascension of Hickory, North Carolina. That book also contains facsimiles both of the handwriting of Marshal Ney and of the strange school master. It contains as well a report of my father concerning his analysis of eight pages of original writing of Marshal Ney and of the school master. For me it is the most cogent of all the reasons that have been given for believing that Marshal Ney was never executed.

"I am of the opinion," wrote my father, "that the writer of the specimens of the four pages purporting to be those of Marshal Ney and the writer of the specimens on the four pages purporting to be those of P. S. Ney are one and the same person; the variations of hand being largely due to style of pen used, the quill, gold and steel all being represented, which produces the different quality of line without hiding away the idiosyncrasies of the writer."

Peter S. Ney died in Rowan County, North Carolina, in 1846. So positive were his neighbors that he was, indeed, Marshal Ney that they would not listen to any doubts as to his identity. It was a feeling that my father shared to the end of his life.

"I applied the same tests," he said to me one time, "that I have applied times without number when some man's life depended upon my findings. So long as those specimens of handwriting survive

there exists proof of what I believe, proof that would be acceptable to a jury. It is something I could demonstrate, something that any competent handwriting expert could demonstrate."

In 1929 I received from Cannes a letter from a friend of my father. In it he enclosed a clipping from a newspaper of France dealing afresh with this old mystery and my father's report. If the French people still find it possible to place credence in the legend perhaps the time may come when some handwriting expert may be given a chance to make the tests officially. In which case, I imagine, it is not outside the bounds of probability that an effort would be made to return to French soil the bones of the Carolina refugee.

## CHAPTER XXI

There were occasions in my father's career when the district attorney's office employed his talents in theatrical fashion. Indeed, before I was born he performed a trick in a New York court room that helped a jury to make up its mind that a woman on trial there was a fraud and not the miracle worker she had pretended to be. Her name at the time she was tried was Ann O'Delia Diss Debar. She had many names in the course of her adventurous existence.

I saw her picture one time in a drawer in my father's desk, lying in a pile of curious souvenirs of his professional activities.

"Not a bit pretty," I said. "Who is she?"

"God knows," he replied. "All I know for a fact is that she was a great liar, a swindler, a female rogue. She pretended to be endowed with supernatural powers. She pretended to be the daughter of a Bavarian king and a celebrated actress named Lola Montez. Actually I believe her name originally was Editha Salomen and that she came of a decent Kentucky family which never ceased to be astounded and grieved by her behavior.

"At police headquarters there is a *dossier* con-

cerning her. It is supposed that she was born about 1849, so that it must have been in the early seventies that she appeared in Baltimore. There she posed as the Countess Landsfeldt and Baroness Rosenthal, a member of the Bavarian nobility. She ensnared many a foolish Baltimore youth. She called them suitors; it would have been more accurate to call them suckers. She had rehearsed her scheme there a number of times before she left Baltimore with a fortune. Invariably she aroused the amorous hopes of the man with whom she was playing. Then she would allow him to find her in tears. Her careless bankers in Bavaria, she would say, had failed to send her funds.

"There was a time when she was confined in Bellevue hospital. She had become addicted to opium smoking. In a frenzy one day she stabbed several attendants at the hospital and then was sent to Ward's Island as an insane person. After a year or so she was discharged. She married soon after that and became known as a dabbler in hypnotism. After the death of her first husband she married a man named Joseph Diss Debar who at some time had taken the title of general. They lived by their wits and lived well, because they had managed to become acquainted with many fashionable persons in New York.

"One of these was a wealthy middle-aged lawyer named Luther Marsh, who was mourning the

loss of his wife and a little daughter. Mrs. Diss Debar by this time was representing herself to be possessed of mediumistic powers. Marsh at this time was living in a splendid house at No. 166 Madison Avenue in New York City. He had other property in Westchester and in Newport and was rated a millionaire. An important element in this situation for Mr. and Mrs. Diss Debar was the fact that grief, and possibly some other factors, had weakened the mind of Luther Marsh.

"Ann O'Delia Diss Debar persuaded him to believe that she was in communication with the spirit of his dead wife and child. At times she produced pictures of them, seemingly on blank canvases and paper. She also caused to appear some conventional pictures of such diverse characters as Pythagoras, Robert Burns, Appius Claudius, Luther Marsh, Shakespeare, Aspasia, George Sand, General Barrios and Plato. Her powers really seemed extraordinary—to poor Marsh.

"At last he gave her a deed to his New York home, into which she had moved, and then his relatives made a complaint to the authorities. That was how I happened to be drawn into the affair. This all happened a long time ago, in 1888.

"The chief of the prosecution's forces was William Howe. I was still engaged in making portrait photographs and carried on my work as an

expert on disputed documents at the same time. In addition to this I was reading clerk of the Board of Aldermen. Mr. Howe came to me, however, because I was a photographer.

“‘See here,’ he began, ‘this woman has persuaded a lot of people that she really has supernormal powers. There are a number of rich victims on her list who actually believe that she can materialize Rembrandt, Rubens or any other of the old masters and make them produce works of art at command. Marsh is convinced that the pictures she has given him are worth thousands of dollars. That is why he gave her a deed to his home. She hypnotized him into believing that as a Temple of Spiritualism an endless variety of great works could be performed in it. What I want to do is to match her trick for trick in court.’

“‘What do you want me to do?’

“‘I want you to see if you can’t make a ghost picture. Think you can?’

“‘I know I can,’ I told him. We discussed the business at length and I showed Howe just how I would do it. At the next hearing of the case in Special Sessions in the Tombs, Howe announced that he was going to rival Mrs. Diss Debar’s best work. The newspapers all published news of his boast and consequently on the day when I was to appear there the court room was filled with notables of the day. Marshall P. Wilder was one,

I remember; John Stetson, former Senator Fitzgerald, and a swarm of others. There were also some of the elderly dupes of Ann O'Delia Diss Debar.

"Only Howe knew who was going to perform the miracle. A lawyer named Townsend was the chief of the defense counsel and he had been taunting Howe with the prospect of failure. In reply Howe had boasted: 'I promise you we will show how it is done and in this very court room.' The affair promised to be dramatic and consequently the press of people trying to force or bribe their way into the spectators' seats filled the corridors. Ministers, actors, fashionably clad women —they were wearing huge bustles then—and many politicians were there. It was an inspiring audience.

"Ann O'Delia was fat then and not prepossessing; but there was a glitter in her eyes as she saw me walk toward the witness stand as the bailiff called out: 'D. N. Carvalho, D. N. Carvalho.'

"I carried a roll of white cardboard under my arm. It was a piece about 25 inches wide by 30 long, of the sort used at that time by newspaper artists to make their sketches. Incidentally there were a number of them in the court room that day, one from every paper in town, I imagine.

"'Mr. Carvalho,' began Mr. Howe as I identified myself and sat in the witness chair, 'you have

a piece of paper in your hand. Will you let me have it?’

“I passed it over and Mr. Howe proceeded to display it to counsel, Judge Kilbreth and the jury. Then he addressed himself to that inscrutable woman, Ann O’Delia. ‘Will you,’ he said, ‘kindly tear off a piece of this blank paper for the purpose of identification?’

“‘No,’ she said angrily as she glared at me. ‘I will not mark it, for I have not furnished the paper.’

“‘Very well then,’ retorted Mr. Howe, ‘the public will judge you. You refuse to mark the paper because you did not furnish it.’

“His words dripped sarcasm and then, at his suggestion, the judge directed two of the court officers to take charge of the paper I had brought.

“‘Now then,’ said Howe, addressing himself to me, ‘in what way can a picture be produced instantaneously on that paper?’

“This was to be my big moment. ‘By one touch with a wet sponge,’ I said. ‘It will be merely a chemical change.’

“‘The water that the Judge drinks will be good enough for us,’ said Howe as the officers held the paper against the glass of the doors in the book-cases. Then he beckoned to me.

“‘Mr. Carvalho,’ he said, ‘what picture do you intend to produce on this paper?’

“The picture of Adelaide Neilson.”

“Is she dead?”

“Yes; she died about five years ago.”

“Well, then, go ahead and produce the spirit portrait of Adelaide Neilson.”

“You must realize that all of this showmanship was bound to have an effect on the jury. I was quite as theatrical as Howe as I took the sponge in my hand and passed it lightly over the surface of the white cardboard. At once there began to appear in rosy, flesh-colored tints a familiar portrait of the actress. The actors and actresses in the court room were the ones, I imagine, who first began to applaud. As they saw it this was not testimony but an act; and a good one, too, judging by the admiring comments. I doubt if I ever had a better time in a court room. The Judge smiled on me and the prisoners—there was another besides the Diss Debars—looked unhappy.”

“How in the world?” I exclaimed as my father finished his anecdote, “how did you do it?”

“Why, Claire, surely you realize that I am something of a chemist. Such knowledge as I had employed is a part of my stock in trade.”

Chemistry, of course, was a natural tool of his craft, as it is of all handwriting experts. Originally, as I have said, he was a photographer and that was in a time when wet plates and a bewildering array of chemical solutions were a necessary

part of a photographer's equipment. Every photographer had to know something of chemistry; but as a detective ferreting out truths which stealthy people had tried with all their cunning to conceal, my father discovered that he had to widen his understanding in this field of knowledge. In his hands chemistry became a weapon with which to fight many kinds of frauds. His hours in his laboratory were a kind of target practice with which he prepared himself for the curious situations in which his work was constantly involving him.

"But tell me," I urged him.

Then with what seemed to me to be irrelevance he went on:

"An honest man creates an instrument with paper and ink. Assume it is an order on his banker. Then a dishonest man tries to increase the size of that order. There you have the commonest pattern of commercial forgeries. About 1894—six years after the Diss Debar trial—I succeeded with some experiments and produced my safety paper, so sensitive to erasures that it blushes as you do when you are embarrassed. Only this paper blushes when it is tampered with. I charged that paper with a bismuth salt and iodide of soda in combination with congo red and some other pigment. An attempt at erasure will bring out as a red stain a concealed warning pattern which is a

kind of burglar alarm to any bank teller to whom it is offered.

"You have seen those little barometers of German manufacture in which a tiny feminine figure is clothed in garments which change from pink to blue and warn of changes in the atmosphere? That employs a simple reaction caused by the moisture in the air, the humidity working on a chemical substance with which the fabric in the barometer is impregnated."

"But," I protested, "you started to tell me how you performed that trick in the trial of Ann O'Delia Diss Debar."

"Well," he said, "I am telling you, and in a way that I think you will remember. The picture was there all the time, of course, but it was invisible until I applied a wet sponge. Then the concealed pinks and blues showed themselves just as concealed colors and patterns show themselves in safety bank-check paper when any water or acids are applied. What I used in that trick was a kind of safety paper—but it wasn't safety paper for that woman. She went to prison for six months and afterward in London, when she was trapped in another form of criminality, she was sent away for seven years."

Although my father had no faith whatever in handwriting as evidence of character traits, he did realize, of course, that an abnormal mental or

physical condition is often betrayed by the faltering track of a pen. We were discussing this one time when he spoke of his connection with the case of Mrs. Barnett. She had been left a widow with four children. The estate she inherited was worth perhaps \$40,000 and soon after she came into possession of it, she remarried. Her second husband was the cousin of her first.

The second matrimonial experience of Mrs. Barnett was brief. She died following the birth of a fifth child. She had become infected during this ordeal and blood poisoning spread through her system. Life was maintained, though at a low ebb, by frequent injections of stimulating drugs. Whiskey, strychnine, adrenalin and other drugs were used by the physician and nurses in an attempt to save her life. The vital forces of this mother sank lower and lower. There came a time when it was doubtful whether she was conscious.

Then the stepfather of Peary, the ten-year-old boy, and of his three smaller sisters, summoned a lawyer. A will was drawn up, and placed under the dying woman's hand. Elvira McConihee, a trained nurse, signed the document as a witness. Soon afterward the nurse performed another office for her patient. She drew the sheet up to hide the staring eyes. The object in the bed had ceased to be Mrs. Barnett. The children outside the bedroom door had become orphans.

Patrick Muller, the grandfather of the children, wished to see them soon after the funeral of his daughter but found a strange tenant living in the house he supposed belonged to them. With the aid of neighbors he discovered where the children were. They had been placed in a charitable institution by the stepfather, who about this time offered for probate that will which had been prepared for his wife when she was dying.

The youngsters were taken out of the asylum by their grandfather, who then made some interesting charges before the county surrogate. As a result the surrogate appointed a lawyer to look after the interests of the children. That was when my father came into the case.

When the hearing on the will was opened, one of the witnesses was the doctor who had attended the dead woman in her last illness. He told of the heroic treatments with which he had sought to save the woman's life. He described an operation with which he had tried to drain away the poisons that were being absorbed by her blood stream. Only the most powerful drugs, he testified, kept her alive at all.

"Did it not strike you as a brutal thing, this will-making?" asked the surrogate.

"It was," replied the physician, "the dirtiest thing I ever saw."

Elvira McConihee then was called. She testified

that she did not believe the woman was capable of knowing what was going on at the time her hand was lifted to the paper. She also said that she did not see Mrs. Barnett sign the paper.

When David N. Carvalho took the stand he informed the surrogate that what purported to be the signature in ink of Mrs. Barnett was a tracing over lead pencil. He volunteered to remove the ink tracing so as to reveal the pencil writing which underlay it, but the surrogate decided this would be unnecessary. The surrogate had made up his mind and gave his decision.

"I do not want to make a finding that may reflect on possibly innocent people, and I think counsel was innocent. I do not think he would knowingly perpetrate a fraud. In view of the oral directions given to counsel by the dying woman the will is not the kind of a paper that should have been offered this woman to sign. I am willing to impute ignorance to the lawyer, but his ignorance was so fatal in its consequences that it amounts to dishonesty and amounts to a fraud on this dying woman. I shall refuse to probate on the ground of my finding she was not of sound mind when she executed the paper."

"What was abnormal about Mrs. Barnett's writing?" I asked my father.

"In the presence of death," he replied, "the writing of very few people is normal. If you ask a

man who is running from some monster threatening him with destruction, if you ask such a man to stop and sign his name, he will not write in his accustomed manner. The pencil with which Mrs. Barnett had scrawled at the bottom of her will had fallen from her hands before she finished. I suppose her husband thought he could finish that chore for her by writing a complete signature for her in ink."

"But what did the surrogate mean by his reference to the directions given to the lawyer by the dying woman?"

"The lawyer had testified," said Father, "that she had told him she wished to provide for her children and asked him to draw the will so that under it the husband as beneficiary would be compelled to support the children of her first husband."

"Well?"

"A will was unnecessary. Her children would have inherited anyway. She was persuaded to sign something that she believed was going to protect her children. Instead she signed something that swindled them, and herself as well. Death-bed wills are never entirely satisfactory. A will should be made when the testator is in sound health. The witnesses should be, if possible, persons younger than the testator and of decent social position. One of the commonest practices is to

summon the servants from the next room when a will is to be witnessed. Often, when that will is offered for probate it is discovered that the servants have disappeared. How are they to be found? Not by searching in the telephone directory, nor in the directory of directors, nor in "Who's Who," nor in any other way. I know of cases in which large estates have been tied up for years while heirs hunted high and low trying to find some obscure member of the human race who had been important just once—when he signed a will as a witness to its execution. The witnesses should always be persons of standing in the community, persons of unquestionable integrity."

I asked him why so many people were moved to hide their wills in places so secret that years sometimes elapse before the documents are discovered.

"When a will is found in such a place," he replied, "my experience suggests to me that it is well to be suspicious of it. I figured in a case one time in which the will was produced from the hem of the dead woman's skirt. It was a fraudulent will. I know of another in which a man asserted he found it when he crawled under a house to observe the finish of a rat his dogs had cornered there. That too, I think, was a fake will. The place to put a will is in a safe-deposit box. Most banks nowadays are glad to keep the will of any customer, and that means any depositor. The law-

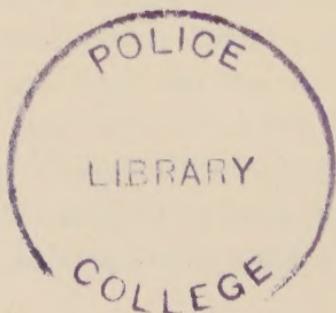
yer who draws it up is also a logical and safe custodian. Trust companies are, to my mind, the best custodians of all. But don't hide your will behind a picture or up in a garret or down in a well. That's silly."

When my father died we children hunted high and low for signs of a will. There was none in his safe-deposit box, nor among any of his papers. My sisters and brothers do not think he ever executed a will. I believe that he did and that he put it away for safe-keeping. Perhaps he had more than one deposit box. Somehow where a will is concerned men cannot help being secretive. When he died he was trying to tell us something but he could not force his lips and tongue to form the words.

"Box," he said.

"What is it, Father?" asked one of my brothers.

"Box," he repeated. Then he ceased to be able to say anything.





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